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THE VALUE OF THE VENEZUELAN ARBITRATION.

BY WAYNE MACVEAGH.

THE question now awaiting decision by the Hague Tribunal happens to be of such a character that the way in which it is decided is of infinitely less importance than the fact of its submission to that Tribunal for decision. The counsel for Venezuela and the United States have earnestly argued that the question resolved itself into this exclusively ethical question: Were the acts of the Allied Powers—Great Britain, Germany and Italy—in blockading the ports, bombarding the forts and seizing and sinking the gunboats of Venezuela, rendered just and necessary by the conduct of the latter Power; or were these Allied Powers required by the conventions of the Hague Conference, to which they were parties, to submit their claims for alleged injuries done and debts owing to their subjects to impartial investigation and adjudication, before enforcing their payment from a defenceless nation at the cannon's mouth; and, even if such claims had been thus adjudicated, which they were not, were the Allied Powers further required by the provisions of those conventions to persistently seek to induce Venezuela to accept mediation or arbitra-

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tion, before employing their vast superiority of strength to extort from her compliance with their demands?

This question was presented in an elaborate brief and other printed documents, and was also urged upon the Tribunal in an elaborate oral argument, at its first session in October; and it was enforced in a second oral argument on the reassembling of the Tribunal. It has been very ably and very vigorously contested by the counsel for the Allied Powers; and when the decision is announced it will be cheerfully acquiesced in, on both sides of the Atlantic, because it will be recognized as the decision of absolutely impartial and disinterested jurists. Therein consists the signal superiority of the Hague Tribunal over arbitral commissions whose members, or a majority of them, may be supposed to represent the wishes of the different parties to the controversy. The decision of such a commission, however impartial its members may really be, almost always gives rise to criticism and dissatisfaction on the part of the losing party. This fact has been signally illustrated in the attitude of a portion of the press of Venezuela towards the awards of the Mixed Commissions which recently sat at Caracas, and of a portion of the press of Canada towards the award of the Commission in the matter of the Alaskan Boundary.

It ought also to be clearly understood that the Venezuelan arbitration presents no question as to the amounts claimed by her different creditors, nor any other question of a commercial character. No matter what the decision may be, the creditors of Venezuela are to be paid and to be paid in full. The only question awaiting decision is as to the order of their payment. Great Britain, Germany and Italy claim that their conduct towards Venezuela was so just and so necessary as to entitle their claims to be paid before any payment is made to her other creditors. Venezuela and the United States, with the other creditor nations, assert the contrary. They contend that the conduct of the Allied Powers was in direct contravention, both of the spirit which animated the Hague Conference, and of the conclusions as to the duties of nations towards each other which were embodied by it in its conventions, which have received the assent of almost every civilized state and have thus become an integral part of the law of nations.

It was to be expected that any international procedure in

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which a South-American republic was one of the principal parties, and to which it gave its name, would be treated with comparative indifference, not only in Europe, but also by the greater number of citizens of the United States; and it is, doubtless, for this reason that the Venezuelan arbitration at the Hague has not attracted the attention to which its intrinsic importance entitled it. Indeed, the mere fact that one of the principal republics of Central and South America appeared voluntarily at the bar of that high court of international justice and international peace, is of itself a striking occurrence, and one possibly fraught with very considerable consequences to the future welfare of mankind. That vast, rich and fertile continent, ever since the overthrow of the Spanish dominion, has remained a comparatively unknown land, except for the incursions of an enterprising commerce seeking new countries as the scene of its exploits, of travellers in pursuit of material for books of travel, and of occasional visits from the war-ships of great Powers visiting its harbors from time to time on peaceful or warlike errands. It has been felt quite safe, in many international relations, to ignore the existence of the Central and South-American republics; and to such extent was this indifference carried that, when the Hague Conference itself was called, all those republics, with the single exception of Mexico, were ignored in the invitations to it, although Roumania, Bulgaria, and Siam were included in those invitations. Of recent years, however, the territories of those republics have very naturally appeared increasingly inviting to the governments of some of the overpopulated countries of Europe; and now that almost all other habitable quarters of the globe have been substantially divided into Crown Colonies or spheres of influence, the eyes of more than one great European nation might be expected to be turned toward those extensive and thinly peopled regions, capable, as they are, of maintaining great populations, possessing virgin forests, fertile soils, and untold mineral resources; and enjoying a variety of climate suited to the production of almost every article of food and commerce. In Germany, especially, a very considerable literature has appeared, during the last decade, urging a vast increase in the German fleet, and, in some instances, alluding to the necessity which may soon confront Germany of seeking new colonies for her surplus population in Central or South America, although, of course, the German government is

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not responsible for such publications. The problems presented, therefore, by those republics to-day are of signal importance to the peace of the world; and that importance is sure to increase rather than to diminish, unless some satisfactory method for the settlement of those problems is discovered; and the Hague Tribunal seems to offer the best practicable method of settling some of those questions. It must always be remembered that the United States, in giving its adhesion to the conventions of the Hague Conference, made the following important and explicit reservation: "Nothing contained in these conventions shall be so construed as to require the United States of America to depart from its traditional policy of not entering upon, interfering with, or entangling itself in, the political questions or internal administration of any foreign state, nor shall anything contained in the said conventions be construed so as to imply the relinquishment by the United States of America of its traditional attitude towards purely American questions." The scope and meaning of this reservation are perfectly apparent; but, quite outside its scope and meaning, questions of great difficulty may arise at any time between one of the republics of Central or South America and some more or less powerful European nation, of a character peculiarly fitted for determination by the Hague Tribunal.

It was, therefore, a matter of the greatest possible importance, not only for the United States, but also for the future dignity and usefulness of the Hague Tribunal itself, that one of the leading South-American republics should voluntarily cross the sea and appear at its bar, to submit for its decision a question of international law, as such law has been enlarged and ennobled by the provisions of the conventions of the Hague Conference. Those conventions must be regarded as having introduced distinctly new principles into the law of nations; for the law of nations has always been regarded as consisting of the sum of those usages which the great majority of the civilized states of the world have agreed to be binding upon themselves in their relations with each other. Twenty-six of those nations participated in the Hague Conference, and the conclusions there reached were accepted by them; and the republics of Central and South America subsequently gave their adhesion also to those conclusions. The appearance of one of the Central or South-American republics before the Hague Tribunal would, of course, be far more significant if, among her antago-

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nists before the Tribunal, were such great and powerful European monarchies as Great Britain, Germany and Italy, while ranged by her side were her sister American republics of the United States and Mexico. It is true that the good offices of the Hague Tribunal had already been invoked for the settlement of a controversy involving a considerable amount of money to which Mexico and the United States were parties; but no occasion had yet arisen for invoking the good offices of the Tribunal for the decision of any far-reaching and ethical principle of the law of nations as amplified by the Hague conventions. It must also be remembered that the presentation and decision of such a question would not have quite the same moral significance for the rest of the world if it had arisen between two European states, as it possesses when presented by three American republics on the one side and three European monarchies on the other; for such an array of nations at the bar of the Tribunal offers to the whole civilized world the most striking object lesson of the acknowledged dignity and worth of the Tribunal, and of its immeasurable future usefulness. Then, too, the question presented for decision equally tended to elevate and dignify this august Tribunal of international arbitration; for the question presented was not a commercial question, nor one involving the ascertainment of a disputed boundary, nor whether a claim for compensation in money presented by one country against another was valid or not. Such questions are, doubtless, always interesting to the immediate parties, and they are capable of assuming an importance beyond the parties to them, in adjusting causes of irritation which might otherwise lead to conflict. But they are not of the same class of questions as those which involve ethical considerations; for the reason that the decision of the latter class of questions by the Hague Tribunal will undoubtedly exercise a very great influence upon the relations hereafter existing between nations, and ought powerfully to aid in the peaceful solution of very many controversies. It so happened that the Venezuelan arbitration was signally fitted to bring into bold relief the competence of the Hague Tribunal to act as a modifying and controlling influence upon the angry passions of states; and to persuade them of the wisdom and necessity of taking care that the attitude they assumed toward each other was in accordance with the noble and humanitarian objects which actuated the Emperor of Russia in calling the Hague Conference,

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which entered into all the discussions of the delegates to it, and which were embodied in their conclusions.

The present arbitration arose out of the question as to how the moneys set apart by Venezuela for the liquidation of her debts should be distributed. The three great Powers which had joined together in making war upon her claimed that, as their action had extorted the fund in question, they were entitled to be paid in full before any other of her creditor nations, which had not made war upon her, received any payment upon their respective claims. Venezuela replied to this demand by utterly denying that the war thus waged upon her by the Allied Powers entitled them to such preference; and she insisted that all her creditors should be paid upon a basis of exact equality. As this absolute conflict of opinion was found incapable of amicable adjustment, the Allied Powers proposed to refer it to the arbitrament of President Roosevelt; but President Roosevelt, while expressing his appreciation of the confidence thus reposed in him, declared that in his judgment it was far better for all parties that the question in dispute should be referred for decision to the Hague Tribunal. This suggestion was adopted, and protocols were subsequently signed between Mr. Bowen, as the representative of Venezuela, and the Ambassadors of the Allied Powers, referring that single but very distinct and very important question for decision to the Permanent Court of Arbitration at the Hague. That single, distinct and very important question is, in the opinion of the counsel for Venezuela and the United States, whether, under all the circumstances attending the transactions, Great Britain, Germany and Italy are entitled,—when their conduct is judged by the provisions of the Hague conventions to which they were voluntary parties,—to be first paid, remitting the other creditor nations of Venezuela, who did not make war upon her, to receive payment only after the claims of the Allied Powers have been satisfied. It will be at once recognized that there is thus presented for decision no question respecting the amounts of the claims to be paid, nor any question as to the sources from which such payments are to be derived, nor any question whatever of a pecuniary or commercial character; but, simply and exclusively, this ethical question: Was the war made upon Venezuela by these Allied Powers, under all the circumstances then existing, when tested by the principles of the Hague conventions, so just and so necessary as to entitle them

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to an award of merit, in the form of preferential payment of their claims, for having made it? In other words, Did the conventions of the Hague Conference impose upon these Allied Powers such obligations of seeking to avoid a resort to force,—first, by invoking the mediation of some neutral Power, and, that failing, by persistent efforts to secure a peaceable arbitration of the existing disputes; and, as a preliminary to both of these steps, were they required to have first submitted their claims to impartial investigation and ascertainment? The counsel for Venezuela and the United States claim that the spirit as well as the letter of those conventions did impose such obligations. If the principles of international law, as they exist since the Hague Conference, authorize any number of powerful nations to ally themselves for the purpose of extorting, by force, from any weak and helpless nation, the payment of claims which have never been impartially investigated and ascertained; and if such measures of coercion may be applied without any preliminary steps in the way of mediation or of arbitration, as specified by the Hague Conference, then the counsel for Venezuela and the United States admit that the Allied Powers are entitled to be awarded preferential payment of their claims; for they not only produced the fund to be distributed, but they will be adjudged by such decision to have acted in strict accordance with their international duties, as limited and defined by those conventions. If, on the other hand, the Hague Tribunal should be of opinion that no great and powerful nation, nor any number of them combining together, may now extort, from any weak and defenceless Power, the payment of claims, simply alleged to be due by such powerful antagonists, although disputed by the weaker Power, and never impartially investigated; and that the payment of such claims may not be enforced without persistent efforts to secure mediation or arbitration, or any other method of peaceable adjustment and settlement of such controversy, then the counsel for Venezuela and the United States insist that the Hague Tribunal ought not to award the preferential treatment claimed by the Allied Powers.

It is not the purpose, in this article, to discuss the respective merits of these contentions on the one side or the other, or to attempt, for a moment, to forecast the probable decision of the Tribunal. The importance of a correct decision is not undervalued, and it is earnestly hoped that the contention of the Allied

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Powers will be denied; but it is confidently believed that the fact of the submission of such a question to the Hague Tribunal is of far greater future usefulness and importance than any decision of the question itself can possibly be. Thirteen independent nations, seven of them great and leading nations of the world alike in civilization and in military and naval power, have voluntarily been represented in this arbitration; and they have been represented in a controversy concerning, as has already been stated, the ethical scope and meaning of the conclusions reached by the Hague Conference, which prescribe mediation and arbitration before resorting to war. Such a precedent thus set in the face of the world cannot fail to exert a very weighty influence in any future controversy which may arise, either between any two of the nations thus represented, or between any one of those nations and any other nation, or between any other two nations. If Russia and Austria have contributed the services of their most distinguished and learned jurists; and if Great Britain, Germany, France, Spain, Italy, Belgium, the Netherlands, and Sweden and Norway in Europe, and the United States, Mexico and Venezuela in America, have appeared by their duly accredited representatives at the bar of the Tribunal, and taken part in the discussion of such a question, it will be increasingly difficult for any nation in the future to refuse to submit her contentions to the same arbitrament,—unless indeed the controversy should involve some well-known and recognized policy of a nation, or one of the essential rights of a sovereign state, or a right to demand redress for some wanton aggression upon the national honor. For the reasons given, it is confidently believed that the Venezuelan arbitration marks an uplifting epoch in the history of the Hague Tribunal, and that its value in increasing the dignity and enlarging the usefulness of that great Court of Peace will be more and more apparent, as the full meaning of the question believed to be involved in it and the full significance of its submission are comprehended, and this without reference to the actual decision in the present case.

On the other hand, the value of this arbitration to the peaceful development of Central and South America may prove to be equally great. It is only necessary, in order to form some estimate of such value, to consider what good results must have followed a resort to the Hague Tribunal by those three great nations

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before they sent their allied fleets to the harbors of Venezuela, rather than after they had performed their work of blockade and destruction in those harbors. All the bitter animosities which inevitably linger and rankle in the breast of the weaker Power, after submission has been extorted by superior force, would have been avoided, as well as all doubt as to the justice of the claims thus required to be paid, as Venezuela earnestly and constantly protested that she was not liable to pay them. It must also be remembered that it is always impossible to predict to what lengths such warlike expeditions may be compelled to go, before they receive such submission from the weaker Power as is acceptable to them. Some weak nation, confident in the justice of her cause, might resist long and retreat far inland and refuse to make such submission,—in which case, no matter how excellent were the intentions of the assailing Powers, very undesirable complications might arise, which had not been foreseen.

With the precedent set by the present arbitration, it will be far more easy to avoid such complications in the future, as can be demonstrated by considering the course which can now be followed without wounding the just pride of any country, great or small, weak or strong, whenever a serious controversy arises.

A long-standing, and in some instances rather bitterly waged, controversy exists between the governments of Central and South America and other nations, as to the proper forum for the adjudication of claims presented by foreign residents against the country in which they reside. On the one hand, it is strenuously insisted that foreign residents can claim no other forum than that accorded to native-born citizens, and that the courts which any independent nation establishes to administer justice to her own people should have exclusive jurisdiction over the claims of such foreigners as choose to enjoy her protection, and to avail themselves of such commercial advantages as she may offer,—such being the general rule of the law of nations.

The reply made to this contention is, in substance, an allegation that, in some instances, the judicial tribunals of Central and South America do not offer adequate guarantees that justice will be impartially administered to foreigners. It is asserted that such tribunals are, in some cases, wholly dependent upon the Executive Power, the judges being arbitrarily selected without reference to their experience or reputation as jurists, and exposed

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to the chance of arbitrary removal,—not having the protection of a permanent tenure,—so that their decisions may be suspected of being political rather than judicial; and that, for those reasons, foreigners resident in such a country are entitled to invoke the assistance of their diplomatic representative in the settlement of such claims as they present. Now, any student of this controversy cannot avoid reaching the conclusion, that no progress whatever has been made towards an agreement of opinion respecting it, nor is it reasonable to expect either side to voluntarily abandon its position. It belongs, however, to that class of questions which the Hague Tribunal is eminently fitted to hear and decide; and such submission can now be made without wounding the just pride of either contestant; and, while the decision cannot be satisfactory to both parties, it will be a settlement of the question by distinguished and impartial jurists, and will be of great public advantage in furnishing some settled principles for the guidance, as well of persons contemplating a residence in those countries, as of their own governments, thus removing a constant source of more or less acrimonious diplomatic correspondence, which might easily become the prelude to armed intervention.

There is another question upon which opinions are also sharply divided: May a state effectively declare, by constitutional or other enactment, that all disputes respecting concessions granted to foreigners, and all obligations contracted with them by the government, shall be referred only to its own tribunals, whose decisions shall be final and conclusive? Or are the foreigners enjoying such concessions, or holding such obligations, entitled notwithstanding such declaration to invoke the protection of their own government, upon the allegation that justice will not be awarded them in the domestic tribunals? It is reported that this question has, in fact, been recently decided both ways, by the Mixed Commissions at Caracas. If so, the necessity of an authoritative decision by some impartial and disinterested tribunal would seem to be very desirable; and such decision could proceed from no source so likely to secure for it general acquiescence as from the Permanent Court of Arbitration at the Hague.

Another question upon which eminent statesmen and diplomatists have differed is, whether war may be properly waged to compel a foreign state to pay the interest and principal of its

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bonded debts or other similar obligations when held by foreigners. Prince Bismarck and Lord Salisbury would seem to have thought war for such an object, unless under very exceptional circumstances, unjustifiable; and Mr. Drago, when Foreign Minister of the Argentine Confederation, addressed an earnest and weighty argument against the practice to Secretary Hay. On the other hand, the financial interests in many countries now exercise such great influence in political affairs that, in the present unsettled condition of the question, it cannot be expected that force will not sometimes be employed for the enforcement of such obligations. It would not be difficult, when a diplomatic controversy on the subject had failed to effect an amicable adjustment, to refer this question also to the Hague Tribunal; and doubtless other questions equally susceptible of such reference will arise from time to time.

It may well happen that no one of these expectations will at once be realized; but the Venezuelan arbitration certainly affords legitimate grounds of hope, to all friends of international peace, that its far-reaching and beneficial example, in ways we know not of and in days we may not see, will assist in persuading nations to seek and find a peaceable adjustment of many of their controversies.

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MR. MORLEY'S LIFE OF GLADSTONE.—I.*

BY GOLDWIN SMITH, D.C.L.

SINCE the appearance of the first volumes of Macaulay's History there has not been such an event in the publishing world as the appearance of a Life of Gladstone by Mr. Morley. Nor has public expectation been disappointed.

Though I saw a good deal of Gladstone, both in the way of business and socially, I never was nor could have been, like Mr. Morley, his colleague and a partner of his counsels. On the other hand, I lived in the closest intimacy with men who were his associates in public life, and saw him through their eyes.

To me, Gladstone's life is specially interesting as that of a man who was a fearless and powerful upholder of humanity and righteousness in an age in which faith in both was growing weak, and Jingoism, with its lust of war and rapine, was taking possession of the world. The man who, breaking through the restraints of diplomatic prudery, pleaded before Europe with prevailing eloquence the cause of oppressed Italy; who dared, after Majuba Hill, in face of public excitement, to keep the path of justice and honor in dealing with the Transvaal; whose denunciation of the Bulgarian atrocities made the Turkish Assassin tremble on his throne of iniquity; who, if he had lived so long, would surely have striven to save the honor of the country by denouncing the conspiracy against the liberty of the South-African republics; who, if he were now living, would be protesting, not in vain, against the shameful indifference of England to her responsibility for Macedonian horrors: has a more peculiar hold on my veneration and gratitude than the statesman whose achievements and merits, very great as they were, have never seemed to me quite so

* "The Life of William Ewart Gladstone." By John Morley. In three volumes. London and New York: Macmillan, 1903.

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great as, in Mr. Morley's admirably executed picture, they appear. Not that I would undervalue Gladstone's statesmanship or its fruits. Wonderful improvements in finance, great administrative reforms, the opening of the Civil Service, the Postal Savings-Bank, the liberation of the newspaper press from the paper duty, the abolition of purchase in the army, the reform of the Universities and of the endowed schools, the disestablishment of the Irish Church, and the commercial treaty with France, make up a mighty harvest of good work; even if we leave the resettlement of the franchise open to question and carry Home Rule to the wrong side of the account. Very striking is the contrast, in this respect, between Gladstone's career and that of his principal rival, who gave his mind little to practical improvement, and almost entirely to the game of party and the struggle for power. Moreover, Gladstone filled the nation with a spirit of common enthusiasm and hopeful effort for the general good, especially for the good of the masses, to which there was nothing corresponding on the part of his rival for power, whose grand game was that of setting two classes, the highest and the lowest, against the third. Gladstone was, in the best sense, a man of the people; and the heart of the people seldom failed to respond to his appeal.

This man was a wonderful being, physically and mentally, the mental part being well sustained by the physical. His form bespoke the nervous energy with which it was surcharged. His eye was extremely bright, though in the rest of the face there was no beauty or even refinement. His physical and mental force was such that he could speak for four or five hours at a stretch, and with vigor and freshness so sustained that George Venables, an extremely fastidious and not over-friendly critic, after hearing him for four hours, and on a financial subject, wished that he could go on for four hours more. His powers of work were enormous. He once called me to him to help in settling the details of a University Bill. He told me that he had been up over the Bill very late at night. We worked together from ten in the morning till six in the afternoon, saving an hour and a half which he spent at a Privy Council, leaving me with the Bill. When we parted, he went down to the House, where he spoke at one o'clock the next morning. Besides his mountain of business, he was a voluminous writer on other than political subjects, and did a vast amount of miscellaneous reading. As a proof of his powers of

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acquisition, he gained so perfect a mastery of the Italian language as to be able to make a long speech in which Italian criticism, could detect only two mistakes, and those merely uses of a poetical instead of the ordinary word.

Like Pitt, Gladstone was a first-rate sleeper. At the time when he had exposed himself to great obloquy and violent attacks by his secession from the Palmerston Government, in the middle of the Crimean War, one of his intimate friends spoke of him to me as being in so extreme a state of excitement that he hardly liked to go near him. Next day, I had business with him. He went out of the room to fetch a letter, leaving me with Mrs. Gladstone, to whom I said that I feared he must be severely tried by the attacks. She replied that he was, but that he would come home from the most exciting debate and fall at once into sound sleep. A bad night, she said, if ever he had one, upset him. But this was very rare. He chronicles his good and bad nights, showing how thoroughly he felt the necessity of sound sleep. In extreme old age, he could take long walks and fell trees, he conversed with unfailing vivacity, doing a good deal of work at the same time, and seemed to be the last of the party in the evening to wish to go to bed.

The hero was fond of dwelling on his Scotch extraction—in fact, of rather thrusting it in the face of England. His domicile, however, was Liverpool, and his father was a West-Indian proprietor and slave-owner; a circumstance perhaps not wholly without influence on one or two passages of his life. To his Scotch shrewdness and aptitude for business, Eton and Oxford added the highest English culture. Eton in those days would teach him only classics. But there was a good deal of interest in public affairs among the boys, many of whom were scions of political houses. There was a lively debating club of which Gladstone was the star. At Oxford, he added mathematics to classics, taking the highest honors in both. There, also, he was the star of the debating club. It was a fine time for budding debaters, being the epoch of the great struggle about the Reform Bill. Gladstone led vehemently and gloriously on the Tory side. The result was that his fellow collegian, Lord Lincoln, introduced him as a most promising recruit to his father the old Duke of Newcastle, the highest of Tories, and Gladstone was elected to Parliament for Newark, a borough under the Duke's influence. I have

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read the correspondence, and there is nothing in it derogatory to the young man's independence.

Oxford was the heart of clericism as well as Toryism, and the advance of Liberalism threatened the Anglican State Church, as well as the oligarchy of rotten boroughs. The Tractarian movement of sacerdotal reaction was already on foot. Gladstone imbibed the ecclesiastical as well as the political spirit of the place, and formed a friendship, which proved lasting, with the authors of the ecclesiastical reaction. He published a defence of the Anglican State Church, which, as we know, was terribly cut up by Macaulay. The Reviewer, however, ends with a defence of religious establishments really weaker than anything in Gladstone. The State, according to Macaulay, though religion is not its proper business, has some time and energy to spare which it may usefully devote to the regulation of religion.

Gladstone cast off by degrees his extreme Establishmentarianism. He came at last to disestablishing the Church in Ireland and pledging himself to disestablishment in Wales. But he remained firmly attached to the Anglican Church, encircled by High Church friends, who were really nearer to his heart than anybody else, deeply, even passionately interested in all their questions, and an assiduous writer on their side. He was suspected of being a Papist. A Papist he certainly was not. No one could be more opposed to Papal usurpation. His special sympathy was with anti-Papal and anti-Infallibilist Catholics, such as Döllinger and Lord Acton. His religious faith was simple and profound; so simple that he continued in this sceptical age to believe in the plenary inspiration of the Bible, and in the Mosaic account of the Creation. He retained unshaken faith in Providence and in the efficacy of prayer. This in his meditations constantly and clearly appears. At the same time, he grew tolerant of free inquiry as a conscientious quest of truth. Many non-conformists, the leaders especially, notwithstanding his Anglicanism and his suspected leanings to Rome, were drawn to him on broad grounds of religious sympathy and lent him their political support. Lord Salisbury called him "a great Christian." He could not have been more truly described. He had thought of taking Holy Orders. From this he had been happily deterred, but he seems to have been fond of officiating in a semiclerical way by reading the lessons in Hawarden Church.

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Gladstone's zeal in the service of his nation and humanity, his loyalty to right and hatred of tyranny and injustice, and his conscientious industry, were sustained by spiritual influences, and Christianity has a right to appeal to his character in support, not of its dogmas, but of its principles.

The first step in emancipation from bondage to the State Church theory was curious and characteristic. Peel, in whose Government Gladstone then was, proposed an increase of the grant to Maynooth. Gladstone paid a tribute to the principle of the "Church in its Relation to the State" by resigning his office. Then, on the ground that the other principle had prevailed, he voted for the grant and went back into the Government. It is thus possible to see how the idea of a certain tortuosity became connected with his career. Bitter enemies even accused him of duplicity. He had a habit, of which his biographer seems aware, of making his words open to a double construction, the consequence, perhaps, of consciousness that his mind was moving and that his position might be changed. He had also a dislike of owning change, and a habit of setting his retroactive imagination at work to prove that there was no inconsistency, which had a bad effect, especially in such a case as his sudden coalition with Parnell.

The value of the recruit was at once recognized and the door of office was presently opened to him by Peel, who was always on the look-out for youthful promise and set himself, perhaps more than any other Prime Minister ever did, to train up a succession of statesmen for the country. Though himself the least eccentric of mankind, Peel showed in more than one case that he could overlook a touch of eccentricity where there was real merit and genuine work. Set, as Vice-President of the Board of Trade, to deal with a subject entirely new to him, Gladstone at once justified Peel's confidence and discernment. Perhaps the office had been chosen for him as one in which his eccentricity had no play. He served Peel admirably well and was perfectly true to his chief. But, from things that I have heard him say, I rather doubt whether he greatly loved Peel. Peel detested the Tractarians; the Tractarians hated Peel; and some of the Tractarians were nearest of all men to Gladstone's heart.

Peel's Government having been overthrown on the question of the Corn Laws by what the Duke of Wellington, with military

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directness, called a "blackguard combination" of Tory Protectionists, Whigs, Radicals, and Irish Nationalists, the whole under Semitic influence, its chief, for the short remainder of his life, held himself aloof from the party fray, encouraging no new combination, and content with watching over the safety of his great fiscal reform; though, as Greville says, had the Premiership been put to the vote, Peel would have been elected by an overwhelming majority. His personal following, Peelites as they were called, Graham, Gladstone, Lincoln, Cardwell, Sydney Herbert, and the rest, remained suspended between the two great parties. When Disraeli had thrown over protection, as he meant from the beginning to do, the only barrier of principle between the Peelites and the Conservatives was removed. Repeated overtures were made by the Conservative leader, Lord Derby, to Gladstone, whose immense value as a financier was well established, and the common opinion was that Gladstone would have accepted had Disraeli not been in the way. But Disraeli, though he offered to waive his claims, was in the way, and the result was that the Peelites, Gladstone at their head, coalesced with the Whigs and helped to form the coalition Government of Lord Aberdeen.

Once launched in any career, Gladstone was sure to imbibe the full spirit of the movement and lead the way. His Liberalism presently outstripped that of the Whigs. As the most conspicuous seceder from the Tory camp, he became the special object of antipathy to the Carlton Club, which was fond of speaking of him as insane. "I am much better off for a leader than you are," said a member of the Carlton to a member of the Reform Club; "my leader is only an unscrupulous intriguer; yours is a dangerous lunatic." The story was current that he had bought the whole contents of a toy-shop and ordered them to be sent to his house. This came to me once in so circumstantial a form, that I asked Lady Russell whether she thought it could be true. Her answer was: "I begin to think it is, for I have heard it every session for ten years."

It must be owned that Gladstone was impulsive, and that impulsiveness was the source not only of jibes to his enemies, but sometimes of anxiety to his friends. "What I fear in Gladstone," said Archbishop Tait to me, "is his levity." That he could easily throw off responsibility, I think I have myself seen. But a man on whom so heavy a load of responsibility rests, if he

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felt its full weight would be killed by it, and want of conscientiousness is not to be inferred from lightness of heart.

It must have been, indeed it evidently was, much against the grain that the great Minister of peace and economy went into the Crimean War. He seems to have tried to persuade himself that the result, after all, would be the bringing of Turkey under control. More substantial was his resolution, as Chancellor of the Exchequer and holder of the purse, to make the generation which waged the war, as far as possible, pay for it by taxes, not cast the burden upon posterity by loans. Mr. Morley is right in pointing to Lord Stratford de Redcliffe, then unhappily Ambassador at Constantinople, as largely responsible for the war. Besides his hatred of Russia, the ambassador had a personal grudge against the Czar. But conspiring with him were Palmerston, insanely anti-Russian, the father of Jingoism, perhaps not unwilling to supplant the pacific Lord Aberdeen; and the Emperor of the French, who wanted glory to gild his usurped throne and a better social footing in the circle of Royalties, which he gained by publicly embracing the British Queen. In the middle of the war, Gladstone seceded from the Ministry, reconstructed under Palmerston after its fall under Lord Aberdeen; not, I apprehend, because Palmerston failed to oppose Roebuck's motion of inquiry, against which it was useless to contend; but because he was himself thoroughly sick of the war. I happened just then to be with him one morning on business, at the conclusion of which he began to talk to me, or rather to himself, about the situation, saying, in his Homeric way, that if the Trojans would have given back Helen and her treasures—his Homeric phrase for the Vienna terms—the Greeks would have raised the siege of Troy. I had not had the advantage of being at the Greek headquarters; but I could not help seeing in what mood the British people were, and how hopeless it was then to talk to them about reasonable terms of peace. Had Gladstone, instead of bolting in the middle of the war, mustered courage, of which he generally had a superabundance, to oppose it at the outset, he might have incurred obloquy at the moment, but he would have found before long that, to use Salisbury's metaphor reversed, he had laid his money on the right horse. The grass had hardly grown over the graves on the heights of Sebastopol before everybody execrated the war.

After some turns of the political wheel, we find Gladstone

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Chancellor of the Exchequer under Palmerston, making the fortune of that Government by his masterly Budgets and splendid expositions of them in the House. If Palmerston was the father of Jingoism, Gladstone was its arch-enemy. Of the two things for which the Prime Minister said he lived—the extinction of slavery, and the military defence of England—Gladstone looked not with special zeal upon the first and very coldly on the second. Palmerston was a commercial Liberal, and he saw the immense value of such a Chancellor of the Exchequer to his Government. But he was believed to have said that, when he was gone, Gladstone would in two years turn their majority of seventy into a minority, and in four be himself in a lunatic asylum. It was known that he wanted as his successor in the leadership, not Gladstone, but Cornewall Lewis. Very pleasant would have been the situation of that worthy and amiable scholar, leading the House with Gladstone on his flank!

One fruit, distinctly Gladstonian, the Palmerston Government bore. That fruit was the commercial treaty with France, negotiated through Cobden, who shared with Bright Palmerston's particular dislike. Cobden even suspected that Palmerston would not have been sorry if the treaty had miscarried, and that he betrayed his feeling in his bearing and language towards France while negotiations were going on. There was nothing in the treaty savoring of retaliation, nor can it be cited by the advocates of that policy. Some Liberals were inclined to demur to it, not because it was inconsistent with free trade, but because it made us to some extent accomplices in a stretch of prerogative on the part of the Emperor of the French, who used the treaty-making power to accomplish, without the authority of his Legislature, a change in the fiscal system of France. Such, at least, is my memory of the transaction.

The objections which some might perhaps take to Gladstone's fiscal system are, that it retains, though it reduces, the income tax, a class tax, and, like the succession duty, dangerously open to class abuse; and that it rests so much upon the consumption of a few important articles. Suppose tobacco, for instance, were to go out of fashion, as some sanitary authorities say it ought, there would be a serious gap in the Budget.

The great master of finance, while he was dealing with it on the largest scale, was conscientiously mindful of the public in-

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terest in the most minute details of expenditure. He regarded public money as sacred, and any waste of it, however trifling, as criminal. His biographer has given us amusing instances of his conscientious parsimony in small things. In one case, however, his parsimony was misplaced. He grudged the judges their large salaries. Public money cannot be better expended than in taking the best men from the Bar to the Bench. The expedition of business assured by their command of their courts would in itself be worth the price, apart from the security for justice.

Among other relics of Gladstone's Conservatism, was his clinging for his seat in Parliament to the University of Oxford, in which he was supported by a rather strange and precarious alliance of High Churchmen voting for the High Churchman and Liberals voting for the progressive Liberal; a combination the strain upon which became extreme when Palmerston, in whose Government Gladstone was, made Shaftesbury, the lay leader of the Evangelicals, his Minister for ecclesiastical affairs, and allowed him to go on appointing Low Church Bishops. But the Tories never made a greater mistake than the ejection of Gladstone from his Oxford seat. By sending him from Oxford to Liverpool, they, to use his own phrase, unmuzzled him. It is true, I believe, that, on the day of his rejection, the bible fell out of the hand of the statue of James I. on the gate tower of the Bodleian, an omen of the separation of the Church from the State. The stone being very friable, the fall was not miraculous; although it was curiously apt.

It was a mistake, however, to say that the disestablishment of the Irish Church had been an issue in the Oxford election. I compared notes on that point with my friend, Sir John Mowbray, who had been the chairman of the Tory committee, and agreed with me in saying that the Irish Church was not an issue. Gladstone took up disestablishment for Ireland, which had been long on the Liberal programme, when he had been thrown out of power by Disraeli on the question of extension of the suffrage. He was ambitious, happily for the country; and he wanted to recover the means of doing great things. His admirers need not shrink from that avowal. But he was also sincerely convinced, as well he might be, and as all Liberals were, that the State Church of Ireland was about the most utterly indefensible institution in the world. He framed his measure, expounded it, and carried it

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through Parliament, in his usual masterly way; and the Anglican Church in Ireland, it is believed, has felt herself the better for the operation ever since. Gladstone's High Church friends in England forgave him with a sigh. The State Church of Ireland was separate from that of England, and was Low Church and opposed to everything Catholic from local antagonism to the Church of Rome.

Before his junction with the Liberals, Gladstone had deprecated the interference of Parliament with the colleges of Oxford and Cambridge on the ground that they were private foundations with which Parliament had no right to interfere; and when he brought on his Oxford Reform Bill he had to perform one of his feats of retrospective explanation. But, as usual, he did his work well, though he still left more to be done. By his legislation, clerical as his sympathies were, the universities were set free from clericism, reopened to science, and reunited to the nation. Our Oxford Bill was badly cut up in the Commons, some misguided Liberals playing into the hands of Disraeli, who of course meant mischief. When the Bill in its mutilated state went up to the Lords, it appeared that the Tory leader, Lord Derby, though he felt bound to speak against the Ministerial measure, was not really prepared to throw it out, and that consequently there had not been a whip upon his side. It was then suggested to the Ministers in charge of the Bill that the Commons amendments might be thrown out in the Lords, and the Bill might be sent back in its original state to the Commons, where our friends might by that time be better advised, and the Opposition benches, as it was the end of the session, might be thinned. Russell, then the leader in the Commons, condemned the suggestion as most rash and not unlikely to be the death of the Bill. Gladstone was lying sick of an attack, strange to say, of the chicken-pox. On appeal to him, the signal for battle was at once held out, as I felt sure it would be; and the result was just what we desired.

In connection with this legislative dealing with the endowed colleges of Oxford and Cambridge, the principle may be said to have been practically adopted, though not formally laid down, that, after the lapse of fifty years from the death of a Founder, the Legislature may deal freely with all his regulations, saving the main object of his foundation. The assumption that the wills of Founders were for ever inviolable, in spite of the lapse of ages

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and the total change of circumstances, had led, as it must always lead, to a perpetuity of perversion and to the defeat of the main object of the Founders themselves.

He who in his youth had won the favor of the most bigoted of Tory patrons and entrance to public life by his rhetorical opposition to the Reform Bill of 1832, was destined in his maturity to father a Reform Bill at the thought of which the reformers of 1832 would have shuddered. The Reform Bill of 1832 had enfranchised the middle class, but by abolishing the scot-and-lot borough, had deprived the working-class of the little representation which it possessed. Moreover, the legislative preponderance of the landed interest, which had the House of Lords all to itself and a large section of the Commons, was too great for the general good. These were the best reasons for an extension of the suffrage, while the Whig party and its leader Russell, perhaps, as is the way of parties, finding their sails flapping against the mast, wished to raise a little popular wind. It is by the bidding of parties against each other for popularity, largely, that the suffrage has been extended. Russell had for some time been busy with reform, and had more than once moved in that direction, but had been deftly put aside by Palmerston, who, though a Liberal by profession and revolutionary or affecting that character in foreign affairs, was in home politics a Tory at heart, and met general assertions of the right of men to the suffrage as "partakers of our flesh and blood" and presumptively entitled to a place "within the pale of the constitution," with the aphorism that "the one right of every man, woman, and child was to be well governed." It could not be said that the reform agitation, at all events south of Birmingham, was very strong. The large measure of extension brought in by Gladstone was opposed, in some very memorable speeches, by Robert Lowe, a high aristocrat not of birth but of intellect, who made the last stand against democracy and in favor of government by mind. He and his section, dubbed by regular party men "the Cave of Adullam," helped Disraeli to kill the Bill. Disraeli then brought in and carried a Bill, not less radical, of his own, to which the Conservative gentry under the party whip, styled by Disraeli "education," lent a doleful support; while Robert Lowe appealed to their consistency almost with tears, but in vain. Disraeli thus carried off the popularity of the measure, and enabled himself to say that the Tories

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were the true friends of the masses. But, besides this, Disraeli looked out of window, which Gladstone's critics, perhaps not wholly without ground for their gibes, said that he did not, and he had perceived and laid to heart the great fact that there were numbers of artisans who cared nothing for Liberalism or progress, and who would be apt under skilful management to vote Tory.

Such a subject as the French war lent transcendent interest to the great speeches of Pitt and Fox. Otherwise, their best efforts are not superior to Gladstone's speech in favor of extension of the suffrage, though Gladstone's style is different from theirs. Gladstone's speeches are not literature. He spoke without notes, and no man can speak literature *ex tempore*. Nor are there any passages of extraordinary brilliancy. For such he had not imagination. But the speeches are masterly expositions of the measure and of the case in its favor, always dignified, measured, and persuasive. The language is invariably good and clear; wonderfully so, considering the absence of notes, though it is somewhat diffuse, having perhaps rather lost freshness by overpractice in debating clubs when the speaker was young. The voice, the manner, the bearing of the orator were supreme, and filled even the most adverse listener with delight.

Gladstone's multifarious reading does not seem to have included a large proportion of history or political philosophy. He has left among his writings nothing of importance in the way of political science, nor does he seem even to have formed any clear conception of the polity which he was seeking to produce. His guiding idea, when once he had broken loose from his early Toryism, was liberty, which he appeared to think would of itself be the parent of all that was good. He had, perhaps, derived something from Russell, whose leading principle it was that the people needed only responsibility to make them act wisely and rightly. He had, apparently, no notion of any system of government other than party, which he seemed to treat as though it had been immemorial and universal, whereas it was born of the struggle for constitutional government against the Stuarts. Even as to the working of the British Constitution, his opinions are not very clear. He professed, and probably felt, the highest respect for the Lords; yet, when they played their constitutional part by throwing out Bills of his of which they did not approve, he denounced them as violators of the Constitution. Did he intend to

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vest supreme power absolutely in an assembly elected by manhood, or nearly manhood, suffrage?

For the Crown, Gladstone's reverence went at least as far as to any but believers in political fetichism would seem meet, or as we feel to be perfectly consistent with the dignity of one so eminent and the real head of the State. Yet, it was understood that he was not a favorite at Court, and it is pretty evident that Her Majesty did not eagerly embrace the opportunity of calling on him to form a Government. With all her personal virtues and graces, she was a true grand-daughter of George III., cherishing, as we have been told, apparently on the best authority, ideas of Divine Right, and liking to connect herself not so much with the Hanoverians as with the Stuarts. To her, progressive Liberalism could hardly be very congenial. Moreover, she was a woman, and in a competition in flattery Gladstone would have had no chance with his rival.

It is rather startling to learn from this Life how much there is of interference on the part of irresponsibility with the responsible Government of the Kingdom, and what drafts are made upon the time and energy of one who has the burden of Atlas on his shoulders by the demands of correspondence with the Court. Another thing of which the friends of personal government who have been laboring so hard by pageantry and personal worship to stimulate the monarchical sentiment, may well take note, is the confidential employment of Court Secretaries, like Sir Herbert Taylor under George IV., in communications between the Sovereign and the Minister. They may find, when they have revived the personal power, that it is really wielded, not by the Royal idol, but by some aspiring member or members of the household.

GOLDWIN SMITH.

(To be Continued.)

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THE ATTACK UPON THE CONGO STATE.

BY DEMETRIUS C. BOULGER.

WHEN fourteen of the Powers of Europe and America sent their representatives to Berlin, in November, 1884, the uppermost idea in the mind of every statesman was to withdraw the Central-African problem from the arena of international disputes, and to acquiesce in whatever arrangement might seem the best for its elimination from the list of burning questions and possible causes of strife and war in the world. For the realization of their object they had, in the first place, but to recognize what had already been accomplished by the Congo Association. In April, 1884, long before the Conference was even thought of, the United States had recognized this association as a friendly state, and a few days later France had done likewise. In November, 1884, Germany followed their example, and it is important to note that this recognition was made one week before the first sitting of the Conference. It will be clear to every one that what three of the most important countries of the world decided to recognize, must have been a very substantial entity. It could not have been a myth. In short, there could have been no question about its existence in a condition of active and visible power. Nor can it be less clear that what these three countries accepted as existing, and as being entitled to friendly and full recognition in the great family of nations, was bound to be recognized, reluctantly or freely, with frankness or with reserve, by all the other countries in their turn.

In the second place, the Powers had to lay down principles, and to embody them in the Provisions of a General Act, which should preserve the interests of all in the great question of a free and unshackled commerce. But these provisions, strictly speaking, were not imposed on any state, government or sovereign. They were applied to, and they were to be in force within, a

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geographical area which was defined by the first article of the act, and which is known under the title of "the Conventional Basin of the Congo." The governments possessing territory within that area are England, France, Germany, Portugal and the Congo State, and each of these governments comes under the provisions of that act for that portion of their jurisdiction, and in this respect they have an equal obligation and an equal responsibility. Were changes to take place in the proprietorship of any portions of this region, the obligations would remain unchanged. From the opposite point of view it follows that, if all the Sovereign States have pursued an identical course of policy and have taken the same views as to the State possession of vacant, unowned and waste lands, not one of them is qualified to criticise, judge and condemn any of the others. The only possible procedure that would possess the least appearance of impartiality would be to submit the conduct of the five Powers in possession of territory in the Congo Basin for judicial consideration by the nine other signatory Powers of the Berlin Act; or, in other words, that there should be a reassemblage of the Berlin Conference, *minus* England, France, Germany, Portugal and the Congo State. The verdict of such a Conference would have at least the aspect of impartiality, but it might prove unpleasant reading for the British public, who have got the strange notion into their heads that their proceedings towards the blacks have been without a flaw, while every one else, and the Congo State at the head of them, has been to blame.

The work of the Berlin Conference was one of peace; yet, before twenty years have passed away, it looks as if it must prove a cause of strife and possibly of war; for, of course, Belgium, little state though it is, would not consent to the partition of the Congo State without a struggle, and in that event it would be certain to find allies. It may be well to place in the forefront of this article the serious and regrettable consequences that may follow from the hasty and ill-considered action of the British Foreign Office, irritated by the firmness with which the King of the Belgians held to his rights under the Convention of 1894 relative to the Bahr-el-Ghazal. With unusual candor, Mr. Balfour admitted in the House of Commons, on 10th of August last, the connection between two, as it would seem, quite distinct questions. There is another factor in the problem that the British Government has,

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curiously enough, altogether overlooked. I have called the Berlin Conference an effort to promote international peace, and so it was; but it would be very foolish to ignore the fact that its authors had other motives besides. Germany embarked upon it with the express idea of curtailing the sphere of England in Africa; and France, which had already acquired the right of pre-emption that it still possesses over the whole of the State, was not averse to Prince Bismarck's design for not merely nullifying the Anglo-Portuguese treaty, but for preventing its resuscitation on any future occasion. But if Germany and France were averse in 1884 to the expansion of England in Central Africa, when the title of ownership would have been little more than nominal, how much more averse must they be in 1903 to any such expansion, now they see that it would be a substantial reality!

Those who wage war on the Congo State *à outrance* in the newspapers get over this difficulty in the usual heroic manner of irresponsible persons. The Congo State is to be partitioned, and France and Germany shall have their portions. To offer France her "portion" when she is entitled to the whole, is not evidence of tact; to divide the Congo State into three parts, so that the English part shall be as great as those of France and Germany combined, is not the way to create satisfaction in either Berlin or Paris. In fact, the proposals for dealing with the Congo State, apart from their lawlessness, are singularly crude and unstatesmanlike.

The Congo Government has replied to the note issued by the British Government to the Powers on August 8th. The policy of the proceedings of the Congo State are shown to be, on the vital points of the State domain—the treatment of black labor, and the granting of concessions—absolutely the same as the policy and proceedings of France, Germany and England herself in those matters. Moreover, the measures taken are demonstrably supported by the principles and provisions of international law. They are in strict accord with the letter of the Berlin Act, which is very simple and very clear in its language, borne out and amplified by the protocols. They have been interpreted by all the interested parties in the same manner. If there lies behind the text of the Berlin Act some higher and hidden spirit of which its authors themselves were unaware, clearly this can only be discovered by those whose minds are quite unprejudiced, who have no possible

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interest, direct or indirect, in Central Africa, and whose hands have not been hardened by close contact with that grim, black problem which so many irresponsible persons wish to add to the long list of anxieties and burdens of England. If a new law and obligation is to be imposed upon the States holding territory in the Congo Conventional Basin, it ought to be the work of the nine non-possessing States; and England, not less than France or Germany or the Congo State, would have to submit herself to the rod of correction. As none of those Powers has the smallest intention of allowing its proceedings of internal government to be reviewed and judged by any foreign tribunal, it follows that there will be no attempt to go behind the Berlin Act. Its language is perfectly plain, every one hitherto has read it in the same sense.

The radical defect in the case presented by the British Government, and formally set forth in its note of August 8th, is the failure to realize the exact status of the Congo State. If one were to draw a conclusion from the terms of the Note, it would be thought that the Congo State was not a State at all, and that it merely filled some anomalous and temporary position by virtue of the Berlin Conference, and at the good pleasure of the Powers there assembled. That such a view should be put forward by journalists snatching in their haste at any argument that seemed a likely weapon with which to belabor the victim handed over to their censure and condemnation, is not surprising. "What one Conference gave, another can take away," is a sentence that comes trippingly to the pen, and imposes on the credulity of the general reader; but that the British Foreign Office, knowing the facts, should have allowed itself to believe that the Congo State did and does occupy an anomalous position, and that the mere inditing of a despatch would put that State in the dock, is strange indeed.

The Congo State is, in law and in fact, a Sovereign State, and every one with the least smattering of international law knows that there are no qualifications or abstractions to be made on or from that description. Its rights in international law are just as great as those of England herself. Nor was it created by the Berlin Conference. It existed before such a Conference was contemplated. It was recognized by the United States and France seven months before the Powers assembled at Berlin, but recognition implies prior existence, for what does not exist cannot be recognized. The Congo State is bound in no greater or less de-

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gree than England herself by the provisions of the Berlin Act, and those provisions could not be modified, if at all, to its special detriment. A fresh meeting of the signatory Powers could only change them if the Powers were unanimous. As all the Powers involved have acted on the same lines, no change is possible without an implication of self-condemnation. What they have done in the Congo Basin has been done within their full legal right and competence. Is it likely that any of them would consent to undo it, that is to say, to draw back from a course deliberately chosen with due regard for the law of nations, and by the essential prerogatives of sovereignty?

Let us see what are the charges brought against the Congo State, not by the British Government, but by certain persons whose views have been taken up and adopted to a limited extent by that Government. The extent to which they have been adopted may first be stated in a precise manner. On May 20th, the Government accepted Mr. Herbert Samuel's motion in the House of Commons to this effect:

> "That the Government of the Congo Free State having, at its inception, guaranteed to the Powers that its native subjects should be governed with humanity, and that no trading monopoly or privilege should be permitted within its dominions, this House requests His Majesty's Government to confer with the other Powers, signatories of the Berlin General Act, by virtue of which the Congo Free State exists, in order that measures may be adopted to abate the evils prevalent in that State."

The language of the motion shows the existence of the fundamental errors that I have referred to, which assign the "existence" of the Congo State to the Berlin Act, and which assume that in some special manner the Congo State is under different obligations from those binding all the other Powers which have territory in the Congo Basin.

As for the charges themselves, they come under two heads. They may be called breaches of humanity, and breaches of the freedom of trade that forms the cardinal point of the Berlin Act.

Let us take the breaches of humanity first. These are based, first of all, on the assumption that the Congo State employs or has employed cannibal troops. If ever there was a charge which was demonstrably false it is this. Far from employing cannibals at any time, the State has always treated cannibalism as a crime

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punishable with death. At moments of grave peril, its officers did not hesitate to shoot powerful chiefs found guilty of the practice. When it did employ ex-cannibals, who had nominally given up anthropophagy, the Belgians themselves suffered most when those men mutinied and returned to their barbarous habits, and that is over eight years ago. Since the Batetela mutiny, the Public Force has been quite reorganized, and it is not merely untrue, but also a palpable absurdity, to speak of "a cannibal army" as something that could continue to exist. The Congo State, in its own interests, could not permit such a state of things. The hardships of service in Central Africa are quite sufficient deterrent to the recruiting of its white staff, without adding thereto the terrible possibility of being eaten by the men under their command. The least particle of justice and sense of fair play should cause the abandonment of this charge by the most pronounced and vindictive enemy of the State. Yet, how can any abandonment be expected from a faction the chief member of which charged the Congo State, in 1897, with importing gin for the express purpose of effecting the degeneration and extinction of the negroes of Central Africa? As a matter of fact, the policy of the Congo State has reduced the import of gin and alcohol altogether to one-sixth of its former total.

And when you have eliminated the charge of the cannibal soldiers, what remains of those breaches of humanity? There have been crimes on the Congo, and some of them have passed unpunished. The Congo Government does not deny it. Is there anything remarkable in this? Is it enough to brand the Congo State with a mark excluding it from the society of civilized nations? Are there not crimes and unpunished crimes sometimes in England, even in Sir Charles Dilke's own Forest of Dean? His acquaintance with colonial and African matters is older than mine, but has he forgotten the case of Colonel H——— and his photographs, or the floggings of Province Wellesley? Did those deplorable incidents entitle any one to depose England from the position she claimed, and rightly claimed, as an apostle of civilization? The same law must be applied to the Congo State, whose code is in no particular inferior to that of the British Empire. You cannot condemn a state or a nation for miscarriages of justice, or for the occasional failure of the law to strike down the guilty. It must be judged by its written law, and by the integrity

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of the judges who administer it; and even in the full volume of spleen and enmity let loose upon the Congo State in these latter days, no one has yet ventured to assail the purity of the Courts at Boma.

It is probable that the blacks have sometimes been compelled to supply forced labor. Do the members of the Anti-Congolese party imagine that it is different in British Africa, or that the negroes under the union jack work of their own good-will for an "if you please," or at the dulcet tones of the English overseer reciting in one breath a verse of the Bible, and in the next a sort of advertisement of the advantages of the savings-bank. If they do, all I will say is that they wander far from the truth, and that they ought, in simple justice, to find out what is happening in their own house before they find fault with and condemn the proceedings of their neighbors. The native of Africa is, by temperament, lazy and improvident. It is the result of the conditions of his existence, which leave him neither needs nor longings. Life has no attraction for him. At the best, his life must be harsh; and if he succumbs, that is as much a relief as a punishment. Mr. Chamberlain, far wiser than most of his contemporaries in this as in other matters, has said, "I think it is a good thing for him (the native of Africa) to be industrious, and by every means in our power we must teach him to work." Now, that is precisely the policy that has been followed by the Congo State, and Mr. Chamberlain went on to vindicate the imposition of taxes on the native because "the existence of the tax is an inducement to him to work."

Well the Congo State imposes taxes on its black subjects. Is there any hardship or injustice in that? The negro has no money, therefore he has to pay his tax in kind or in labor. Precisely the same measures are taken in British possessions in Africa. The labor required of the native in the Congo State is not excessive. The regulations provide that it shall not exceed forty hours a month; and when the native works in the rubber forests, he receives a recompense by way of gratuity which makes his toil the best remunerated in Central Africa. Can the British subjects who pay the hut-tax say as much? But it is said that there have been acts of cruelty, that the natives have been driven by force to provide rubber; and it is evident that such incidents have occurred, since there are Europeans purging their offences at the

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present time in the prison of Boma. But was any Government ever yet denounced as guilty because there were criminals among its subjects? A Government can only be held blamable when it does not provide and does not support the law. In the present case, no accusation can be made under either head. The Congo Code is complete and admirable. No one has detected a flaw in it. On the other hand, there is not a case that can be cited in which, once the Courts have been occupied with it, they have failed to do justice. Of course, some culprits may never have been brought to trial; and, considering the enormous expanse of territory covered, and the inevitable deficiencies of intercommunication in a newly occupied and partially developed country, it would be indeed extraordinary if the author of every arbitrary or culpable proceeding received his proper correction. But when we find that the principal cases brought against the Congo State are seven or eight years old, and that they are repeated in numerous veiled forms without dates or other means of identification, it is not possible to suppress the opinion that the case for the attack must be extremely weak.

Even if these outrages were as numerous as is alleged, the right of interference in the internal affairs of another State does not exist, and England would no more think of interfering for the purpose of putting down drunkenness and its attendant crimes in the Borinage than Belgium herself would venture to put forward her views with regard to the same social offences in our own Black Country. Far more conclusive evidence than has yet been brought forward would be needed to invoke the sixth article of the Berlin Act, which provides for "the preservation of the native tribes" and for "the improvement of the conditions of their moral and material well-being." Whatever may be said to the contrary by prejudiced persons, there can be no doubt that the consistent policy of the Congo Government, from its first acts down to the present time, has been to promote the welfare of the natives, and to improve their moral and material conditions. Nor can there be any serious question that it has achieved very considerable success if we make proper allowance for the magnitude of the task, the special difficulties arising from the Arabs in the first place and the Batetela mutineers in the second, and the fact that it is only within the last few years that the financial resources have been equal to the burden that devolved upon them.

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The flourishing condition of the finances and commerce of the Congo State is the crowning proof that it enjoys internal peace and prosperity, and therefore the person who termed it "the charnel-house of Africa" can only be the victim of a disordered imagination.

When we turn to the other branch of the attack, that against the land policy of the State, it would seem to be a question that might be discussed in a calm and courteous manner with the absence of the passion and vituperation that have been imported into it by the attacking party. The question at issue is really a very simple one. Has a State the right to convert vacant and unowned, as well as waste, lands into its own property, in other words, a State domain? This simple question has received for centuries an equally simple and direct answer in the law of nations. The State has that right. And if it possesses the right of proprietorship, it must also be clear that that right carries with it the power of managing, leasing or selling that State domain as it thinks fit; otherwise, its right of proprietorship would be nominal, limited and undermined. Precisely the same principles lay at the root of the vast crown lands and estates of the British Monarchy which were taken over by the State at the time of the establishment of the Civil List, although their origin would have to be traced to the days of feudalism. They have also been applied in all the Colonies—in Canada ninety years ago, and in Uganda the other day. To do what is strictly according to the established law of civilized nations does not require the sanction of English confirmation, but none the less it must be gratifying to the Congo Government to find its procedure corroborated by the practice of British proconsuls. Finally, the policy of the Congo State on the subject of the occupation of vacant and unowned lands was enunciated in 1891. Why have we had to wait twelve years before persons, manifestly interested, have come forward to denounce it as a breach of the Berlin Act? And, in the mean time, what has happened? France, Germany, and England herself in Uganda, have done precisely the same thing. But the denunciators of the Congo State are silent as to the proceedings of the great.

But even if the Congo State, acting in strict conformity with the law and the usages of civilized nations, were to be held by some impartial tribunal that has yet to be discovered to have exceeded

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its rights, the same sentence would apply to France, Germany, and England, for they have all put forward the customary pretensions of the State reversion over unowned lands. Nor would there be in such a sentence any aspersion on the honor or the humanity of the Congo State for having done what every other State in similar circumstances had done, and what was strictly in accordance with precedent and the general usage. It would be a new decree, a new law, to which every State would have to bow, and whose application could not be restricted to Central Africa.

It is scarcely necessary to dwell on the interminable confusion that would follow from this upsetting of established laws, this reversal of the order of things; but it may be useful in exposing a fallacy to show what would happen in Central Africa. The tribunal that took away the right could not possibly deny that, by the law and by precedent, the Congo State had the right to grant the concessions that have been given on the State domains. Therefore the holders of those concessions would have to be indemnified. Whence would the necessary millions come? In the next place, the consequences of this policy would be that the natives would become masters of the situation, with the inevitable result that the capital which is developing this region would be withdrawn, the forests would be despoiled and the cultivated fields would return to the bush. A brief consideration of the situation is sufficient to show that an arbitrary intervention with the legitimate rights of the Congo State as a Sovereign State could not be restricted in its application to it alone, but that it must be applied to all the other Powers concerned. In its result, that intervention would entail the downfall of the administration set up with great difficulty in the Congo Valley, and the relapse of that Valley into the condition of barbarism from which King Leopold has raised it.

I now come to the last point. Has the policy of the Congo State, in creating the State domains and in assigning them in different forms of concession, constituted a breach of the first and third articles of the Berlin Act. The first article states that "the trade of all nations shall enjoy complete freedom" in the Conventional Basin of the Congo which it defines. The third article says:

"Wares, of whatever origin, imported into those regions under whatsoever flag, by sea or river or overland, shall be subject to no other taxes than such as may be levied as fair compensation for expenditure in the

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interest of trade, and which for this reason must be equally borne by the subjects themselves and by foreigners of all nationalities. All differential dues on vessels as well as on merchandise are forbidden."

Now, as it has never been represented that the Congo Government has imposed any taxes or differential dues on foreigners, or placed any hindrance in the way of traffic, it follows that the charges levelled at it must come under the head of "complete freedom."

It will be perfectly clear to any one who takes the trouble to study the text of the Act, that "complete freedom" in the first article refers to trade alone. Its interpretation is rendered clearer by the perusal of the fifth article, which sets forth that "No Power which exercises or shall exercise sovereign rights in the above-mentioned regions shall be allowed to grant therein a monopoly or favor of any kind *in matters of trade.*" "Matters of trade" is the English translation used for the French text (the binding text, it may be noted; for there are several errors in the English text) *en matière commerciale.* The protocols show that this referred exclusively to the power of buying and selling, and importing and exporting. On all these points not a single reproach has been or can be made against the Congo Government. The volume of trade has increased. I find that the proportion of English trade to the whole is one-sixth or about the same as in 1891, that is to say, before the incorporation of the State domains. The Congo Government has in no particular hindered freedom of trade. But its assailants have read into those simple and clear words a new meaning, which is tantamount to saying that, while there shall be "complete freedom" for every one else, the Congo Government is to be tied in all its measures of internal administration. To-day, it is the policy of the domain lands that is assailed; to-morrow, it will be something else.

I am by no means sure in my own mind that German "whispers" are not at the root of the strange attitude that the British Government has taken up for some time past with regard to the Congo State. England's bitter foes at Berlin will not neglect the smallest chance of spoiling the growing *entente* with France, and although they have no intention of embarrassing the Congo State, or of promoting a partition in which they would come off third best, they are watching with a certain amount of glee the attacks on the domain system and the resulting concessions, because

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whatever is said and written in England against the Congo State on those points is also an attack on and an aspersion of France.

The Congo State has done good work, and it needs but the encouragement and the protection of England to do still better work, and to propagate the ideas and the policy that has made England famous. It is a neglected ally and not a secret enemy of England, as so many misinformed or malevolent persons are alleging. If France were put in its place, as Sir Charles Dilke proposes, France would have the finest base for offensive operations in Africa. If the State is broken up, no matter how ingeniously it is done, both France and Germany will be left dissatisfied at the same time. It may never come, yet no prudent English statesman can ever afford to eliminate from the list of contingencies a possible European coalition against England; and to violate the integrity of the Congo State, by shocking the sentiment of independence and sovereignty which typifies every nation's separate existence, might furnish the solidifying essence for what is now an inchoate and abstract sentiment.

As a matter of simple fact, England has now enough, if not too much, of Africa on her hands. She has protectorates with more millions of black subjects than there are hundreds of white officials and settlers. She is absolutely ignorant as to what her future relations with these races will be; but if we are to judge from the West Coast, there must be many wars and costly expeditions before her. No basis of permanent settlement has yet been discovered, and still the British Government seems not unwilling to add to its burdens in Africa, or at least to commit itself to a course of action that would entail, not merely the addition of fresh responsibilities, but the aggravation of those already existing. Yet it has on its hands white and yellow and brown problems—none of which is it managing very well, especially the yellow problem, upon the solution of which real predominance in this world will turn. Let it keep away from the black problem as far as possible, and thank its stars that there is a small, neutral, and pacific State to take the chief part of the work off its hands, and one which is only too willing, if it receives proper encouragement and support, instead of censure and contumely, to follow its advice and shape its policy to a common end.

DEMETRIUS C. BOULGER.

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CITIZENSHIP AND SUFFRAGE.

BY WILLIAM L. SCRUGGS, FORMERLY UNITED STATES MINISTER TO VENEZUELA AND TO COLOMBIA.

I.

It is a curious fact that, in selecting the alien and somewhat ambiguous term "citizen" for a title of individual membership of the new nation, the fathers of the Republic neither defined that term nor indicated a preference for any one of its various definitions then current. This could hardly have been the result of accident or oversight. The framers of the Constitution were, with few exceptions, scholarly and painstaking men. They were familiar with the idioms and legal technicalities of our language, critical and often fastidious in their choice of words, and rarely employed a phrase or constructed a sentence of doubtful meaning. Moreover, they were conscious that their work would be subjected to the closest scrutiny by the several State Conventions which were to pass final judgment upon it. How, then, shall we account for their unqualified use of a term which had acquired as many shades of meaning as Proteus had shapes, and which, they must have foreseen, was to become the storm centre of future political and juridical controversy?

The answer to this question does not seem far to seek. In the first place, it should be remembered that not one of the many definitions of the term "citizen" then current would have accurately described the then existing relation between any one of the thirteen States and its inhabitants. The States had been self-governing communities for about eleven years. But it was a question whether the citizen owed primary allegiance to the particular State in which he resided, or whether he owed it to the Revolutionary government of which the Confederation was the immediate successor; and, in either case, his exact relation to the

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governing power was not very clear. In the next place, wide differences of opinion prevailed among the members of the Convention respecting the relation that should be established between the citizen and the proposed new Federal government. One faction wanted to establish a central power bearing directly upon the individual citizen. The other, having an undefined dread of something which they called "consolidation," wanted merely to patch up the weak points in the old Articles of Confederation. The ideal of the one was a nation, in fact as well as in name; the ideal of the other was a league or compact between independent communities. One sought to make the citizen a member of the nation; the other sought to make him a member only of the particular State in which he resided. It is plain, therefore, that any definition of the term that would have been satisfactory to one faction would have been obnoxious to the other. The only hope of agreement lay in the line of some compromise; and the most available, if not the only, compromise was to leave the technical import of the phrase "Citizen of the United States" to be evolved from future experience, and to be developed with the gradual growth of a more clearly defined national sentiment.

Take, for illustration, Aristotle's definition of the term, which is, perhaps, neither better nor worse than a number of others then in common use. "A citizen," he tells us, "is one to whom belongs the right of taking part in both the deliberative and judicial proceedings of the community of which he is a member." If interpreted literally, this would exclude all females from citizenship, which is absurd. And if, to avoid this absurdity, we assume, as we reasonably may, that the masculine pronoun, "he," was employed in a generic sense, we then have the naked assumption that every citizen, regardless of age, sex, condition, degree of intelligence, or personal responsibility, has "the right of participation" in both the legislative and judicial proceedings of the community—a proposition that would have horrified even the extremest radical democrat in the Convention.

Even the verbal distinction which the fathers made between the terms "citizen" and "subject," gives us but a faint clue to their reasons for selecting the former instead of the latter. Manifestly, they wished to indicate a self-governing state as distinguished from an autocracy, an aristocracy or a monarchy. But we cannot say, with Aristotle, that "a subject is merely governed,

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whereas a citizen also governs." For in England, many subjects "also govern"; that is, they have the right of the elective franchise. In that sense, they are "citizens." In the States of the United States, many citizens are "merely governed"; that is, they have not, and never had, the right of suffrage. In that sense, they are "subjects." There are, then, as there have always been, two classes of citizens and two classes of subjects—namely, one which has, and one which has not, the right of participation in the affairs of government, or, as we would say, the right to vote. And, since each sustains identical relations to its respective government, one general definition will comprehend both. That is to say, any native-born or naturalized person of either sex, or of whatever condition, entitled to full protection in the exercise of all the natural or personal rights incident to membership of the State or nation, is a citizen or subject—the choice of terms being immaterial.

But there is, as there has always been, a broad distinction between these natural or personal rights and the right of participation, personally or by a chosen representative, in the affairs of government. One is inherent in citizenship; the other is a gift conferred by the state. In the Greek democracies, all citizens were neither legislators nor magistrates; still less were they ever both at the same time. All Roman citizens were not qualified electors. In the Dutch Republic, citizenship and suffrage were never inseparable; in point of fact, less than half the citizens were ever voters. In the Swiss cantons, suffrage was never coextensive with citizenship. In the Republic of France, less than half the citizens have, or ever have had, a voice in the government. Even in the Latin-American Republics, where there has been the nearest approach to universal suffrage, where women have all the natural rights inherent in citizenship, and where even the nationality of the son follows that of the mother instead of the father, no woman has ever been a voter. In the United States, women are citizens, entitled to all the natural rights incident to that relation; yet no woman has ever exercised the elective franchise in virtue of her citizenship. Where she has voted at all, it has been in virtue of an enabling act of the Legislature. In a word, it is an axiom of our law, illustrated by numerous judicial decisions, that the right to vote is not an essential element of citizenship; that a person may be a citizen, entitled to all the

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privileges and immunities incident to citizenship, without having the right to vote.

II.

Our first attempt at a constitutional definition of the phrase "Citizen of the United States," was made after a somewhat stormy experience of about eighty years. I allude, of course, to the Joint Resolution of the 39th Congress, of June 16th, 1866, proposing what is now known as the Fourteenth Amendment. It was subsequently ratified by the requisite number of States; and, on the 21st July, 1868, was officially proclaimed as an integral part of our fundamental law. The first section of that Amendment declares, that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." And, in due course, each of the particular States, conforming to this definition, so amended their codes as to declare, in substance, that "all citizens of the United States, residing in the State, are citizens of the State," thus excluding, by plain implication, all who are not citizens of the United States.

This has been characterized as "a revolution in our form of government." It was not quite that. But it was a turning point in our constitutional and political history, and marked the advent of a new era in the evolution of American citizenship. Up to that time, we searched in vain for some clear and authentic definition of the familiar but doubtful phrase, "Citizenship of the United States." It could be found neither in our fundamental or statutory law, nor in any of the decisions of our Supreme Court. Nor could it be derived from the concurrent actions or rulings of any two of the co-ordinate departments of the Government. In its elements and its details, citizenship of the United States was as little understood, and as much open to speculative criticism, in 1861 as it was in 1787. For more than three-quarters of a century, it had been an adjourned question whether a person could be a citizen of the United States at all except as he was such incidentally, and then only in a limited or qualified sense, by reason of his being a citizen of one of the particular States. It was, therefore, an open question whether the ultimate allegiance of the citizen was due to the State or to the general government. Indeed, Mr. Calhoun, and other exponents of the so-called "Jeffersonian" theory of the Constitution, had gone so far as to con-

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tend that there was "no such thing as citizenship of the United States *per se*;" that a person born and living in the District of Columbia or other Territory of the Union, although *in* the United States and subject to its jurisdiction, was not, in reality, a citizen of the United States! And, absurd as this proposition now seems, it had never been fairly met by any adverse decision of our Supreme Court.

The Fourteenth Amendment settled, as it was intended to settle, this vexed question at once and forever. It established a citizenship of the United States that is wholly independent of State lines. It thus created a central authority commanding the common obedience of its individual members, and, for the first time, made us a nation in fact as well as in name. A person may now be a citizen of the United States without being a citizen of any one particular State; but by no conceivable combination of circumstances, can he be a citizen of one of the particular States till he is first a citizen of the United States.

I am aware that this last proposition is not, even yet, fully assented to by those who, from force of habit, continue to worship at the political shrine which Thomas Jefferson erected in 1798. It is pointed out that, in some of the States—perhaps in as many as nine of them—resident aliens are given the ballot after having made their preliminary declaration of intention to become citizens of the United States; and the contention is, that the right to vote is the highest evidence of citizenship; hence the conclusion that a man may be a citizen of the particular State before he is a citizen of the United States.

The fallacy of this argument is manifest. It has its only apology in a false premise, long since exploded. Away back in the early part of the last century, it was a question at one time whether the power to naturalize foreigners belonged exclusively to Congress. It was suggested that the particular State, in virtue of its alleged "sovereignty," possessed the concurrent power of naturalization; consequently, that the State might adopt citizens upon easier terms than those imposed by the naturalization laws of Congress. But this was little more than a mere query. If it ever attained to the dignity of a matured opinion, it soon went down under a series of adverse judicial decisions, long before the Fourteenth Amendment was ever thought of; and it is not likely to be revived so long as that Amendment remains in force.

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Moreover, the proposition that an alien is a citizen of the State in virtue of the fact that he is a voter in the State, involves an absurdity. It likewise involves a contradiction in terms. To give the ballot to an alien, is to give him direct control over the action of the State government, and indirect control over the action of the national government, while he is yet a member of some foreign State. In case of war between the United States and the country of his allegiance, he is, by a law of Congress as well as by the law of nations, an alien enemy. As an alien enemy, he is, by the same laws, liable to seizure, to have his goods confiscated, and to imprisonment or deportation. A practice involving such legal contradictions, and leading to such possible consequences, cannot be excused, much less justified, under any code of political morals known to civilized communities, and ought to be at once and forever abandoned.

III.

How did the Fourteenth Amendment affect the status of the suffrage question? It did not materially change it. It did not take from the State the power to fix the qualifications of electors, nor fasten upon us the pernicious doctrine of universal suffrage. It prohibits the State from making or enforcing any law "abridging the privileges and immunities of citizens of the United States." But what are we to understand by the words "privileges and immunities?" They did not come into the Constitution with the Fourteenth Amendment. They had been there, in Article IV., more than three-quarters of a century before that Amendment was ever dreamed of. And our judicial tribunals had uniformly held that they relate, not to the right of suffrage at all, but only to the natural or personal rights inherent in citizenship, of which the right to vote was not one.

The only clause in the Amendment that bears upon the suffrage question is in section two, which relates to the apportionment of representatives among the several States. The apportionment is based on population. But "when the right to vote is denied to male citizens of the United States twenty-one years of age," the number of representatives is to be proportionately reduced. It is to be reduced "in the proportion which the number of such citizens bears to the whole number of citizens" of that age residing in the State. But the question naturally arises, Whence comes

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the right of citizens of the United States to vote? Not being a natural right inherent in citizenship, it can come only by a State law; for only in a Territory, not yet admitted to Statehood, can it come by act of Congress. And in neither case is there any constitutional obligation to grant the right. The only consequence to the State in not granting it is, fewer representatives in the lower House of Congress, and in the College of Electors for President and Vice-President—the number of Senators not being affected thereby. And this, so far from being a loss to the State, might be a positive advantage. For experience has abundantly shown, that it is not the number, but the ability and character of its representatives, that gives the State consideration and influence in the councils of the nation. No political contrivance can annul the divine law by which one wise man counts for more, in deliberative assemblies, and in the affairs of the world generally, than any number of fools.

But it is said that the Fifteenth Amendment practically nullifies this section of the Fourteenth; that it assumes "the right of citizens of the United States to vote" to be a vested right; that it gives Congress the power to enforce this assumption; and, consequently, that it takes from the State its ancient prerogative of fixing the qualifications of electors.

It really does nothing of the kind. It declares, simply, that "the right of citizens of the United States to vote shall not be denied or abridged," by either State or nation, "on account of race, color, or previous condition of servitude"; and it gives Congress the power to enforce this provision for impartial suffrage by "appropriate legislation." There is an assumption only of the potential right to vote. There is no assumption of a vested right to vote. The potential right to vote can become actual only by a law of the State, or in a Territory by a law of Congress. There is no mandate that the actual right shall be conferred in either case. The only mandate is that, in conferring it, the grant must be impartial as between black and white citizens. The plain import of the Amendment, therefore, is that *when* the right to vote is granted, it must be impartially granted; but it is always competent to the State (or to Congress, as the case may be) to declare that "when."

Six of the Southern States have recently, by changes in their fundamental law, restricted the suffrage by a literary and prop-

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erty qualification. Any resident citizen of the United States, black or white, who owns a certain amount of property and who can read and write the English language, may vote. No citizen, black or white, who does not measure up to this standard of qualification, can vote. The only exceptions are found in what are known as "the grandfather" and "the veteran" clauses. The so-called "grandfather clause" provides that all, whether black or white, who could vote in 1866, and their direct male descendants, may vote, provided they shall register prior to a certain date. The so-called "veteran" clause provides that all, black or white, who served in any war of the United States, or in the war between the States, may vote on the same conditions. The time for such registration has already expired in most of those States. It will expire in all, save one only, on the 1st of January next, and it will expire in that one a few years later. So that the exceptions, whether wise or foolish, are only temporary provisions. And, whatever may be said of these exceptional and temporary provisions, the general and permanent provisions are certainly not open to objection. They are neither illegal nor unjust. The Fifteenth Amendment is not violated by them. Every State is free to fix its own standard of suffrage, provided it applies to all alike. It is no injustice to a citizen to withhold from him the ballot until he shall have accumulated, say, three hundred dollars' worth of property and learned to read and write the language of the country. It may be thought expedient or inexpedient; but it violates no vested right, either under the law of nature or the fundamental law, so long as the conditions apply equally to all citizens.

IV.

So much, in brief, for the legal aspects of the suffrage question. But how about its political side? Is it wise or even safe to give the ballot indiscriminately to all male citizens twenty-one years of age and upwards? Is it politic or expedient to restrict the elective franchise to a literary or property qualification, or both?

If, as will be readily admitted, the purpose of all government is, or should be, to secure "the greatest good to the greatest number"; if the general welfare is to be preferred to individual advantage or caprice; then it goes without saying that the right of participation in the affairs of government should be limited to

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those who are fitted, by intelligence, virtue and personal responsibility, to exercise that right with safety to the community. Good government implies stability, fixed rules of civil conduct, equal justice to all, honest administration, and freedom from sudden and violent changes brought about by an ignorant, senseless and evanescent popular clamor. But such a government is not possible where legislators and all other public officers are elective for short terms by universal suffrage. For, in its last analysis, universal suffrage is but another name for a licensed mobocracy; and a licensed mobocracy is nothing less than "organized anarchy," pure and simple—the usual alternative of which is military despotism. Even military despotism, hateful as it is, is preferable to mob rule. For, of all forms of tyranny known amongst men, that of the mob is most to be dreaded, because it is usually the most merciless and the least responsible for its acts.

Let it be admitted, once for all, that any restriction of the suffrage, no matter how wisely devised, is arbitrary and open to objection; that it will result in exceptional cases of individual hardship. A young man eighteen years of age is subject to military duty, and is, in many instances, more capable of voting intelligently than his neighbor of twenty-one; yet he must wait three years before he can become a legal voter. A woman may be a large tax-payer, and have a clearer insight into public questions than her younger brother of twenty-one; yet she has no voice in the government. A man may be of lawful age, able to read and write the language of the country, and yet be wanting in sound judgment and personal responsibility. Or, he may not know a letter of the alphabet, and yet be a tax-payer and have sound judgment. Such instances may be exceptional, but they are within the range of common observation.

But if universal suffrage is not to prevail, then the line must be drawn somewhere. There must be some fixed standard applicable to all. And, whilst it may be imperfect, in that it is not free from objection, no one expects perfection. The most that is possible, and therefore the most that ought to be expected, is the nearest approximation to perfection. Or, to change the phraseology, when two alternatives are presented, neither of which is wholly desirable but one of which must be taken, the least objectionable one should be chosen. The alternatives here presented are, the admitted evils of "tramp" suffrage on the one hand, and

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the exceptional cases of individual hardship on the other. One is a menace to our republican form of government, nay, to our very civilization itself. The other puts a few individuals to temporary disadvantage. It subjects them to temporary inequities, without, however, depriving them of any one of their natural rights inherent in citizenship. Therefore, as the lesser evil, a restriction of the suffrage should be chosen.

Nor would this exclusion be necessarily permanent. It would be permanent or temporary according to the citizen's own choosing. He would have a powerful incentive to fit himself to become an intelligent and responsible voter, whereas, under a system of universal suffrage, that incentive would be wanting. In a country like ours, where public instruction is free, where wages are good and the avenues of profitable industry are open to all, he could hardly fail to attain to the requisite standard. If, however, he be idle and shiftless, without such ambition, and without the essential elements of good citizenship, then no amount or degree of well-meant but misdirected sympathy, nor any form of class legislation, can ever make him a desirable or even a safe voter.

WILLIAM L. SCRUGGS.

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LIGHT ON SOME EDUCATIONAL PROBLEMS.

BY THE REV. HENRY A. STIMSON, D.D.

AT a time when Sir Norman Lockyer, the new President of the British Association, is urging the British government to grant $120,000,000 at once to the universities of Great Britain for their immediate enlargement; when it is reported that Germany has profited to the extent of more than $250,000,000 by her recent devotion to chemical investigation and education; when it is remembered that Lord Palmerston spoke of Germany as "a country of damned professors," and that, after Sedan, Von Moltke said the battle was won by the schoolmaster; expert testimony as to the value of present educational methods in the United States, and ways in which they can be improved, needs no argument to prove its timeliness and its practical importance.

Among our distinguished educators none occupies a higher place and none is more worthy of attention than ex-President Dwight of Yale. He has devoted the earliest years of his well-earned leisure to writing his "Memories of Yale Life and Men," and by those who know him his pleasant chat will be hailed as no less valuable than his wise commentary. The wisdom of his reflections comes to us wrapped up in the sweetness and serenity of an old age that retains the love of humor, faith in God and man, a hearty belief in the present as over against the days that are gone, and abounding charity for all; and we have not merely charitable judgments, (which too often are the cloaking of truth or an easy indifference to evil), but that true and sound appreciation of the good, wherever it appears, which makes it possible to exercise an apparent oblivion of all else without committing high treason upon virtue. These Memories will be a delight to Yale men, for the stories they contain and, most of all, for the preservation of the charm of a personality which a laborious life has not di-

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minished and old age has not dulled. But of far more value to the general public are the shrewd observations of this experienced educator upon the educational problems which have passed under his consideration, many of which are uppermost in the thought of the country to-day. These are to be found interspersed in the story of the unfolding of the life of Yale College as he has known it for more than half a century. They are given now with all the freshness with which they first presented themselves to his alert mind, and are passed upon with the mature judgment of one who, still in the full possession of his powers, retains the youthfulness of spirit and the eagerness of interest which enable him to pronounce upon them in their personal aspect, in words that will carry great weight with all thoughtful men. The fact that they are interjected into personal narratives, as *obiter dicta,* in a record which has more than the charm of a brilliant novel, does not impair their value or make them less conclusive than if they had been argumentatively demonstrated; while the fact that they are carried in the forefront of the thinking of this most alert and thoughtful intellect, is evidence of their pertinence to the thought of to-day.

In recounting the theory of education that was prevalent in the colleges of the country in his youth, Dr. Dwight notes with approval some sentences from the catalogue of Yale at that time:

"The object of the system of instruction of the undergraduates is, not to give a partial education consisting of a few branches only; nor, on the other hand, to give a superficial education containing a little of almost everything; nor to finish the details of either a professional or a practical education; but to commence a thorough course, and to carry it as far as the time of the student's residence will allow. It is intended to maintain such a proportion between the different branches of literature and science as to form a proper symmetry and balance of character. In laying the foundation of a theory of education, it is necessary that all the important faculties be brought into exercise. When certain mental endowments receive a much higher culture than others, there is a distortion in the intellectual character. The powers of the mind are not developed in their fairest proportions by studying languages alone, or mathematics alone, or natural or political science alone. The object in the proper college department is, not to teach that which is peculiar to any one of the professions, but to lay the foundation which is common to them all. The principles of science and literature are the common foundation of all high intellectual attainments. They furnish a discipline and elevation of mind which are the best preparation for the study of a

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profession, or of the operations which are peculiar to the higher mercantile, manufacturing or agricultural establishments."

It would be difficult to find a more comprehensive or a juster statement of the original purpose of college education than this. In commenting upon it, President Dwight says that, while the range of studies of the earlier day was limited, as compared with what has been known in recent times; while remarkable progress has been made in the development of new methods in connection with all branches of learning; while the introduction and wide extension of the elective system, together with the changes in public sentiment of which that system is a part, have resulted in a different theory as to education; and while it is claimed that young men now should be educated for their special work in life even from the beginning of their college years, and that all studies may be equally disciplinary; nevertheless, the old theory had "a certain reasonableness and wisdom in it, whatever may be its final fate; and it worked good results in the lives of the men whose early training was under its influence." In this modest and reserved way does this wise man present and confirm the judgment of those who laid the foundations of our American college life, and whose wisdom is commended to us, lest in the multitude of new voices we go astray from old landmarks which have proved so safe in our educational progress hitherto.

Again, upon the questions of examinations, which are such a sore trial to parents who have to face the serious consequences entailed upon their children, and which are a perplexity to the more thoughtful educators because of the uncertainty of the results and the manifest evil effect upon the physical, moral and intellectual life of students, Dr. Dwight's comment is not without its significance. After describing the introduction of the system of "written examinations," as they were called, which occurred early in Dr. Woolsey's presidency, and was regarded as one of the marks of "Yale's advance in scholarly methods," though it was only after many years of trial that it came to supersede entirely the earlier oral method, he says:

"For my own part,—not having entire confidence that the educational world has as yet reached the summit of human wisdom,—I have the hope, and I may even say the faith, to believe that the present system of examinations will ere long, by evolution or transformation, pass into something higher and better, and that the knowledge of college students

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will be tested, as well as made sure, by a system of personal, individual research carried on in parallelism with the teacher's instructions, and under responsibility to him. That the examinations of the present time are more strict, and call for more study in immediate preparation for them, than those of my own college era, I have little doubt. But that the students of to-day have, at their graduation, a better knowledge of the things that they have studied than we had of those, fewer in number, indeed, which were open to us for our studying, I do not believe. That the young men of the coming era in all our colleges may have a much better and wider and more permanently abiding knowledge than any of their predecessors, is greatly to be desired. But new changes must come if this result is to be realized."

One could not easily conceive a comment upon the educational methods of to-day more worthy of the attention of the educational world than this. Here is an observer too wise to impair the force of his comment by recommending any particular scheme to supersede that now in use, yet wise enough to point out the danger of the system that has won almost universal acceptance, the evils of which, however, are extensive and keenly felt,—in order that the men who have the responsibility of the administration of the schools of to-day, and who are pressing uniform methods of examination, may have the benefit of his judgment and may be inspired to devise means by which the evils that are now so pernicious may be avoided. The strain of examinations, the frequency of their occurrence and the injustice of the results which they are working, are so manifest and so widely recognized, that we might apply to the United States the profound remark upon the French educational system made a quarter of a century ago by that shrewd statesman, M. Jules Favre: "We are educating, not for life, but for examinations."

Upon the now almost complete substitution of elective, for prescribed, courses in college, and the disposition of both parents and teachers to encourage young men to pursue studies that are attractive to them, and to turn from those that are difficult or dry, we have this astute comment:

"The man who is never ready to do what appears to him unattractive or difficult, has not developed the manliness of his manhood intellectually, or in any other line. The theory of doing only what is pleasant, or what requires no forcing of the will against its first inclinations, has no better foundation to rest upon in the educational sphere than it has elsewhere in human life"

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We have all fallen into the hands of the investigators. Even little children have become "cases" and "studies"; and the essential in the career of any teacher who aims at promotion is, that he produce charts and tables to prove that he has been "investigating," and that he has gathered a more or less important series of facts as the result of some observations which he himself has made. Valuable as this method may be in the hands of those who know how to interpret facts, and who know also whether a range of induction has been large enough to give any real significance to the collected data, its value is more than doubtful in the hands of those who are in the earlier stages of their educational career. Its introduction into college classes, therefore, especially to the extent to which it is now often carried, particularly in lines of philosophy and psychology, would be sufficiently characterized by calling it absurd, if it were not a serious waste of time and a perversion of the true purpose of education. Upon this President Dwight remarks:

"I am disposed to think that the required course in mental science in the period of my undergraduate career included about as much as is desirable. It was a general course, or a course which gave every man an introduction to and survey of the science, and also such knowledge of it as was strengthening to the intellectual powers and helpful to all educated persons. In the progress and development of this science during the last half century, a wonderful advance has been made, as in the case of other sciences; and discussions and investigations have moved into all minuteness, as well as into the widest possible range of thought. I doubt whether it is wise, or in the interest of the best education for the average student, to carry him forward along the pathway of all these investigations or discussions. Beyond a certain limit the work belongs, as in the case of natural or physical science, rather to the man who in some sense intends to make it a specialty, than to one who turns to the study as a part of a general educational course."

With the advance of luxury throughout the country, the great increase of attendance at the universities and the erection of new buildings which far surpass those of the older day in external beauty and internal convenience, many are coming to fear that the old democratic life which was the glory of our colleges is departing, or has indeed already gone. Upon this point, no testimony can be more valuable than that of one whose whole life has been spent within the college and in most intimate relations with students of every class, and who himself has preserved to the end the simple ways and tastes of the older day. Dr. Dwight says:

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"We college men were a democratic community in those days,—in one view of the matter—because there was nothing to prevent our being so; because there was nothing in our daily life and experience to suggest a thought of our being anything else. There are persons at the present time,—strange as it may seem, there are college graduates, and recent college graduates,—who apparently have the idea that the university community cannot in a new era continue to be democratic, unless all of the membership are brought to the same level of expenditures, and that there is a danger to the life of the democracy in the provision of buildings of architectural beauty, or of comforts which pertain to the better class of modern homes. That this view is without foundation—even as the view, if held by any in the past or with reference to the past, that the old democratic life was *wholly* dependent for its existence upon the limitations which pertain to all alike, was utterly baseless—is manifest so soon as we get the true idea of what the democratic spirit is. The men of fifty years ago had this spirit, not because there were no hindrances in the way of its entrance into their lives, but because, as members of the Yale fraternity, they inherited from the fathers of the earlier days of the College history the great foundation principles of the true Yale life. Had the inspiration had no deeper source than that which was found in accidental or temporary surrounding circumstances, it would have been worthless as a moving force for noble living."

Then follows this noble paragraph:

"The same thing is true to-day. It will be so always. If the democratic spirit animating our University is now, or ever becomes in the future, so weak and unmanly that it cannot endure inequalities in resources or expenditures—in the means of satisfying the desire for special comforts or even luxuries, or gratifying the artistic taste—it will be unworthy of its origin; it will have contradicted its earlier self. The old spirit was one that estimated men according to their manhood, and not according to their surroundings or possessions. It believed in the superiority of the man to his accidents. But it did not demand that the possessions or accidental things of all in the community should be exactly the same. It was a manly and not a pusillanimous spirit. It did not abide in continual fears lest some new danger might be threatening its future existence, or manifest itself by constant appeals for help that all obstacles or hindrances might be put out of the way. I rejoice that we men of 1849 had it as truly as we had, and that it still remains with us. I have no apprehensions as to its losing its vital force or passing away, if the men of the present and the coming time will recognize for and in themselves the essence of its life power, and not mistake it for what it is not."

College fraternities are just now undergoing rapid development. They have been extended into the secondary schools, are rapidly increasing in number in the smaller colleges, and, at Yale, have

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passed out from the college life and the limitations of distinct classes into the broader life of the university itself. Upon their value, especially in the limited relations of the senior year as they have been known at Yale, we have this interesting testimony:

"The men who were united in the fraternity fellowships as Seniors, came together as a small and selected company in the latest period of their course, when their minds and characters had developed to the highest point of college life; when the great questions of their future, with the seriousness attendant upon them, were rising before all alike; and when the near approach of the end of the happy period, which they had found so full of blessing, was bringing a sadness of spirit that could not but make the heart open itself with tenderness and sympathy. They met at the outset in their new relations, and continued to meet as the days and weeks passed by, with readiness to give and receive the best influence in their power. They met, and continued to meet, with the utmost freedom in the interchange of their deepest and most helpful thoughts; with an intimacy which carried with it the promise of the future; and with a generosity of soul that enriched each one as it grew within himself, while it also enriched all others as it went outward in its gifts from him to them. They entered thus into, and abode for a year of manly, youthful life in, a thoughtful, helpful, inspiring, elevating, character-building fellowship with men whom they could know with a very deep and penetrating knowledge. If the companies selected were only what it was fitting that they should be, one could not wonder that the hearts of all were moved by the happy experiences, and afterwards by the happy memories.

"The company which I thus met for my Senior year, and my association with which made me glad that I had been offered the privilege of membership and had accepted it, was one well fitted to be helpful to me. In some views of the matter at least, I needed for my best and happiest growth, the peculiar help that was given. I may not tell of what we did as we met together. I cannot recall much of what we talked about, or thought, in our communion with each other. The details of the old life are gone. But the man, and the men, what they have been and what they are in the inmost and noblest manhood, is the outgrowth of the influences of that fellowship, even as it is of the love and inspiration of the early home and the later home. The unity of the larger and broader life was a great blessing of my college years. The unity of the narrower and more limited life was an equal or even greater blessing. It was my good fortune to enjoy the gifts which came from both, and to make them, in their effective force, a permanent possession."

There could scarcely be a more complete or more beautiful statement of the meaning and the value of the most intimate relations of college life; and if the fraternities in our colleges could be so carefully gathered and so wisely directed as everywhere to

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secure results such as those that are here described, the joys of college life and the blessings of it would be elevated to a plane higher even than they are known to occupy to-day.

Of that other influence exerted in college days, of which so much is said in after life, and of which we can indeed rejoice that the colleges of our land have from the beginning had such fortunate possession, the personal influence of the individual members of the faculty, we have this testimony as applied to the beloved and honored President Woolsey. Dr. Dwight says:

"He gave us also of what was best in himself,—the opportunity of seeing his own scholarship and his own intellectual power. It was a good fortune, indeed, to be near enough to such a man to be moved by his example, and to get for oneself some appreciation of his ideal of the genuine scholar. Those years were the most valuable of the educational period of my earlier life. They prepared me for my duties as a college tutor and for my European studies in the subsequent years, and became in this way the foundation of all my maturer life and its work."

With this testimony to the value to him of personal contact with a college officer whose term of service was longer than that which is permitted to most men, and whose power of individual influence was unsurpassed, this series of comments must close. The book as a whole is a fitting crown to a highly useful life, a life as beautiful in its old age as it has been honored and beneficent in its course. It is a delight to think of the writer as still living among us, in the enjoyment of those best things that crown a good man's life—the possession of an honored name, of wisdom that is widely sought, of troops of friends, and of a heart at peace in its consciousness of work well done and of a faith in God and man as sure as it is serene.

HENRY A. STIMSON.

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INCREASING DESERTIONS AND THE ARMY CANTEEN.

BY COLONEL WILLIAM CONANT CHURCH.

THE outcry against what for the want of a better name has been known as the Army canteen emphasizes the saying of Bulwer Lytton that, "in life it is difficult to say who do the most mischief, enemies with the worst intentions or friends with the best." Certainly, no one who sought to injure our Army could have done more effective work for its demoralization than have the worthy matrons and maidens of the Women's Christian Temperance Union, who, in their zeal for reform, persuaded Congress to make the Army a victim of their theories on the subject of temperance. It is no reflection upon these excellent ladies to say, that they are profoundly ignorant upon the subject of the Army and the life of garrison and camp, for the soldiers of the Regular Army, who are in the proportion of less than one in a thousand, form a class by themselves, gathered together in comparatively few localities, and having little intercourse with civilians. It was a question, in the case of the beer-selling feature of the canteen, of a difference of opinion between those who thoroughly understand the Army and Army conditions and a small but most persistent and vociferous body of theorists who have no concern with the Army, nor interest in it, beyond making it the victim of their hobbies. Reason was contemned and prejudice had its way.

The question as to how to deal most wisely with that craving for alcoholic stimulants which seems to be in the very blood of our race, is one that profoundly concerns the Army; for the Army is largely composed of young men who, because of their age, their physical vigor and the peculiar conditions of Army life, are especially subject to temptations in the line of self-indul-

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gence. The record of a loss to the Army of over seven *per centum* by desertions during the last official year, or a total of 5,034 men, the equivalent of six full regiments, is, in the opinion of a majority of our Army officers, the result, in part, at least, of the stimulus given to the drinking of vile liquors by the abolition of the canteen.

Every effort has been made by the War Department to elevate the character and improve the conditions of its enlisted men. Summary courts have been created, so that minor offences can be promptly disposed of, and the soldier saved from confinement while awaiting trial; the purchase of a discharge by paying the cost of enlistment is permitted; the ration and quarters have been improved, and a system of recruiting has been adopted, by which men are obtained in part from the rural districts, instead, as of old, from the slums of the city, thus improving the character of the recruits. Nearly ninety per cent. of the enlisted men are native-born Americans, and those of foreign birth must have been naturalized or have declared in legal form their intention to become citizens. Aside from the rigid physical requirements, under the rules of the War Department a certificate of character, such as an ordinary employer would require, is demanded before the question of enlistment can be considered. Of the 92,549 men who applied for enlistment last year, 81 per cent. were rejected. Of the 18,291 who were accepted, 89.2 per cent. were native Americans.

Yet, in spite of the care taken to select the best class of men and to minister in every way to their comfort, our Army is not contented, as the record of desertion shows. Its discontent must be ascribed to many causes; but, if the almost unanimous opinion of officers and men is to be accepted as conclusive, it is very largely due to civilian interference with Army administration.

As to one thing all classes in the Army are substantially agreed, and that is, that a great benefit was conferred upon the Army by Secretary Proctor when he abolished the post-trader and organized the post exchange. The scandals connected with the post-traders thirty years ago, during the administration of Secretary of War Belknap, may be recalled by some. Bad as the system of post-traders was, it was better than that to which Congress has condemned the Army by taking the control of the post exchange from its officers, in submission to the demands of a mis-

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taken sentiment which, having reached certain dogmatic conclusions by the studious ignoring of facts, sought to terrorize the timid legislator into enforcing its views by the threat of political extinction. The Army was making excellent progress in temperance, the soldiers were growing more content and desertion and offences against discipline were decreasing, when Congress unwisely interfered.

Some of the strongest testimony as to the evil effects of the anti-canteen legislation comes from clergymen, and from others who are themselves total abstainers from all forms of liquor drinking. The Rev. William J. Dalton, a Catholic priest of Kansas City, Missouri, who has given much attention to the character and habits of our soldiers, declares that, after the passage of the anti-canteen law, he noted a complete change among the enlisted men of the Army. Soldiers whom he had known before as well-behaved, sober men were to be seen "reeling drunk and next to fighting mad." Says Father Dalton:

"No one can enforce total abstinence. That is only a theory. We can restrict the liquor trade, which the canteen did, but we cannot wipe it off. I am a knight of Father Matthew, a total abstainer, and would see every one in the world belong, but I know it is impossible, and I do not join these crusades. All the good the women want to do they undid, and all the good that was being done without them they have utterly ruined."

Numerous Protestant clergymen who have become familiar with the Army, by service with it or otherwise, have given public expression to opinions similar to those of Father Dalton. Chaplain H. A. Brown, of the United States Army, says:

"The plain, simple fact is, that I can see no logical reason for the abolition of the canteen, except from the standpoint of the absolute Simon-pure prohibitionist, who believes that all drinking, use, or sale of liquor is wrong in itself. While all drunkenness is wrong, it by no means follows that all drinking is wrong. The soldier should have exactly the same liberty and privilege he would be allowed as a citizen, so far as is consistent with his duties as a soldier. Therefore, on the ground that the privilege of drinking is conceded to a civilian, and on the ground, as shown by overwhelming testimony, that the canteen reduces drunkenness, disorder and demoralization in the Army, notwithstanding it appears to be doomed, I am opposed to the measure which abolishes it."

The post exchange or canteen is an enlisted man's club, supported by the profits on the articles purchased at wholesale and

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sold to its members at retail, and its prosperity depends, as does that of all similar organizations, upon its being made acceptable to those for whom it is intended, so that they will patronize it liberally instead of going abroad for their purchases. So far as its resources permit, it is provided with newspapers and periodicals, with games and various forms of amusement and entertainment, and made so attractive that the men of the garrison will have the least possible temptation to seek for recreation and good-fellowship in quarters where they are subject to influences that tend to demoralize and degrade them, and to make them forgetful of the duty they owe as soldiers. In the saloons which they frequent outside the post they are drugged with vile liquors, they come under the spell of evil women, and the natural results follow. Some of them overstay their leaves, and are thus tempted to desert when otherwise they would have had no thought of doing so. Others commit offences against discipline, and if they do not get beyond the reach of punishment by deserting they are added to the list of the "dishonorably discharged," which numbered last year 2,700. If the post-commander could slip his moorings and put to sea with his men, as the naval officer is able to do, he would have an entirely different problem to deal with. He cannot always refuse passes to his men; and, even when these are not granted, a certain proportion of the men will run the guard on dark nights and, after a debauch, return in season for duty the next day, fit for nothing and in a condition which soon puts them on the sick-list. The effort is to keep men on the post by providing sociability and recreation for them there, and to satisfy the thirst of those who are not content with water or soft drinks by giving them beer, but nothing stronger. This keeps those who are disposed to conviviality within limits and out of mischief, and brings into the post-treasury the money that would otherwise be spent on poisonous decoctions sold at an extravagant price. Soldiers in the Philippines return to the garrison after their sprees; there is no other place for them to go to. There is, therefore, little desertion in the Islands, since, to leave the Army illegally, a man must become an outcast. In the United States, on the contrary, there are abundant places of refuge; with the temptation to desert the opportunity to do so offers on every hand, and there is little or no disgrace attached to the crime in the eyes of the civilian with whom the deserter must henceforth cast

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his lot. Desertion is too generally regarded as the violation of an ordinary contract for service, involving nothing worse than a pecuniary penalty. Understanding this, the officers of our Army have sought to protect their men against the temptations to desert which result from the free intermingling with the degraded class who hover on the outskirts of the Army in search of victims.

The testimony in favor of the canteen coming from physicians and sanitarians is overwhelming in its unanimity, and it should be conclusive with all, except those determined not to be convinced, though one rose from the dead to bear testimony to the truth. Some of this testimony was given by Major L. L. Seaman in his article published in the NORTH AMERICAN REVIEW for January, 1903. Since Major Seaman wrote, additional evidence to the same effect has accumulated. The Public Health Association, which met in Washington, on October 30th, 1903, spoke in the strongest terms in approval of the canteen, declaring that it had proved itself the most efficient prophylactic measure for the suppression and diminution of vice and drunkenness, and that its abolition by act of Congress approved February 2nd, 1901, on purely sentimental grounds, was deeply to be deplored by all interested in the prevention of physical and moral diseases. The Association unanimously accepted the report of its committee to which this subject had been referred, recommending the presentation to the Senate and the House of Representatives in Congress of the following resolutions adopted by the American Public Health Association in September, 1901:

"Resolved, That this body deplores the action of Congress in curtailing the operation of the Army canteen or post exchange; and, in the interest of general and military sanitation, recommends its establishment on its former basis at the earliest possible date.

"Resolved, That this body, in the interest of temperance and humanity, cordially invites the intelligent co-operation of a very large element of good citizens, who have been active in securing legislation against the sales in the military service of alcoholics of any character, in taking successive steps toward the betterment of existing conditions, and thus assist in controlling and largely curtailing an evil which it is powerless at present to prevent."

The committee stated that, in spite of the fact that beer-drinking viewed in the abstract is unproductive of good, it is their belief that its sale in canteens, under rational and comprehensive

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regulations, rather than its total prohibition, will subserve the best interest of scientific temperance. The sale of soft drinks, warm lunches, coffee, tea, cocoa, bouillon and soups should be encouraged as substitutes for alcoholic beverages. It was further recommended that the culinary department of the Army be improved as much as possible.

The fact that the canteen, as it was before Congress interfered with it, did reduce drunkenness, disorder and demoralization in the Army, is conclusively shown by reference to a volume of over five hundred octavo pages, in small type, published under the authority of Congress. It is the testimony concerning the result which followed the prohibition of the sale of beer in post exchanges, gathered by the War Department from nearly one hundred Army posts. Of all the posts expressing positive opinions one way or the other, ninety per cent. reported that drunkenness, desertion, absence without leave and trials by courts-martial, had increased. Ninety-five per cent. stated that the condition of health had deteriorated; and all agreed that morality and discipline have been injuriously affected. A very considerable proportion of reports are classed as doubtful in the summary given by the War Department, because their language was ambiguous, or the officers reporting had no data. In such written statements as do give data, the officers, with here and there an exception, express the most decided approval of the canteen.

From Fort Leavenworth, Kansas, for example, reports were received from twenty-three officers, one hundred and forty-two non-commissioned officers and privates. Some of them suggested various causes for discontent and desertion; but they all asserted, without one dissenting voice among the whole one hundred and sixty-five witnesses, that the principal cause was the abolition of the canteen. The enlisted men sent to the Chairman of the Military Committee of the Senate, through military channels, a petition in which they showed that the post exchange, as conducted by the Army, is a co-operative institution. Every enlisted man in the garrison is a stockholder in it, and from it, when it is a success, he obtains benefits which promote cheerful endurance of hardships, make him more content with his lot, and thus a better soldier and better citizen. At the post exchange the soldier can buy at a minimum cost articles of luxury not included in the government ration, liberal as it is, for it is impossible so to

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adapt the ration in all respects to individual tastes that it shall not become monotonous. If this working-men's club, as it is in fact, fails to meet the wishes of its members to a reasonable degree, they go elsewhere, and thus the benefits of co-operative action are lost. This petition to the Senate was signed by practically all the enlisted men at Fort Leavenworth, one of the largest posts of the Army, and the officer who forwarded it certified that it originated wholly with the men themselves and without suggestion from any officer.

The Army asks for the re-establishment of the canteen feature of the post-exchange, not because it is believed or pretended that it furnished a complete solution of the question of Army discontent, but because it is in the line of improved conditions for enlisted men. Undoubtedly, some officers objected to the canteen; but the opposition to it came principally from a class of people who know little or nothing of the Army, or of Army life. What have these civilian enemies of the canteen done to supply the craving for recreation which the post exchange was intended to meet? What interest have they shown, or do they show, in the young soldier separated from home associations and shut out by the nature of his occupation from the society of pure women, except it be the mature matrons of "Soapsuds Row," and the few servant maids in the families of officers? Now that they have accomplished their purpose, they appear to have wrapped about them the cloak of self-righteous content and left the Army to care for itself, bound hand and foot by the restrictions they have placed upon it.

If we could have at or near each Army post such a building as that located near the Brooklyn Navy-yard, which owes its existence chiefly to the generosity of a single individual, Miss Helen Gould, it might lessen the demand for the canteen. But such an institution must be so free from even a remote suggestion of ecclesiastical influence, that Catholic and Protestant, "orthodox" or heterodox, men representing all shades of religious or non-religious belief, shall be equally at home in it. But this is a dream, and the Army must take things as it finds them. The officers may reasonably ask, however, that those who will not aid them should at least not interfere with them in their effort to make the best use they can of the means at their command. Let it always be remembered that this is not a matter of temperance

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alone, nor is that the principal point involved in this discussion. It is a question of leaving the administration of the Army to men who understand the soldier and his temptations, and who are familiar with Army conditions. The advocates of total abstinence say, in effect, that, if there is any man in the Army who refuses to accept theories that are rejected by the vast majority of men in this and every other civilized country, and who will drink, he should be permitted to go to the devil, and the shorter the road and the faster the pace the better.

"No," say our Army officers with united voice. "Some of the best soldiers we have ever had under our command—the bravest, the tenderest, the most loyal to duty and comradeship, men who would give their lives on the instant to save a friend in battle—are men who have not always been able to resist that craving for drink which results, in no small part, from the monotony of barrack life that slowly breeds discontent, no matter how comfortably housed or well fed the men may be." It is to help such men, it is to save others and younger men from ever acquiring such a habit, that the officers of our Army are striving. They believe that to permit them to manage the post exchange in their own way, will assist them in accomplishing their benign purpose. Why should they not be free to try plans which are the result of experience in preference to those forced upon them by theorists?

There are 62,000 enlisted men in the Army, nearly all of them young and lusty; full of the appetites and passions which give stimulus to life. Those who command them understand them, for a majority of the officers have had their own experience of service in the ranks, or of similar conditions of subordination and self-suppression, such, for example, as those to which cadets at the Military Academy are subjected. They understand better than the worthy ladies of the Women's Christian Temperance Union what manner of man the private soldier is, and what is needed to improve his condition and to make him more content with what is, at its best, the hard lot of the camp and the bivouac.

Not only through this sympathy of kindred experience is the officer united with his men, but he is appealed to by every professional instinct to care for them. The private soldier is the Army, and such as he is the Army is. If he is discontented or uneasy, insubordinate or indifferent, by so much the efficiency of the Army suffers, and with it the credit of the officers. It would

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seem to follow logically that, if we wish to improve the Army, upon which we expend our millions, and make it in all respects a credit to the flag it serves, we should call into consultation the men who understand the Army; who are profoundly in sympathy with it, and who cannot possibly have, or be suspected of having, any other interest than that of improving in character and efficiency the military establishment of which they are an integral part. If we wish to inform ourselves about medicine, we consult the doctors; if about the law, the lawyers; and none but the ignorant ignores expert opinion. When it comes to reasoning about our Army, however, and legislating for it, we would appear to think that any woman, old or young, who can give her testimony in a conference meeting or temperance convention, or write a letter to her Congressman glowing with the ardor of self-appreciative virtue, is more to be considered in determining what the Army needs than the officers who command it.

Our private soldiers, as a whole, are as fine a body of young men as this country produces. Their behavior at West Point, Kentucky, where several thousand of them were gathered together for the Army manœuvers in September, was such that the superintendent of the local School Board, Mr. F. R. Lord, wrote to the officer commanding them, Major-General John C. Bates, U.S.A., saying: "The behavior of the troops has certainly done credit to the officers as well as to themselves, and it is a great pleasure to us to say so. Our school children have been taught a lesson they could not otherwise have enjoyed." The Sisters of Charity and the other noble women who did duty as hospital nurses during our war with Spain reported, that the regular soldiers gave them the least trouble and were the most considerate and polite of all their patients.

To reason correctly concerning our present Army, it is necessary to dismiss entirely from mind the impression formed from conditions that have wholly passed away, and which, in fact, never existed to the extent imagined by those who were about as familiar with soldiers and the life of the Army as they were with the habits of the dodo. The Army is just now in a transition state, and what it is to be in the future depends largely on the extent to which we listen to the voice of experience in legislating for it. It has been made the victim, not only of civilian ignorance, but of a civilian prejudice against the uniform which must be

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taken into account in dealing with the soldier. When he leaves the sheltering arms of the garrison, he finds no homes to welcome him, no warm greeting, even from the civilian agitators who show so much concern as to his habits. When he goes on a pass, he is like the man who, travelling down to Jericho, fell among thieves. The only place for shelter and comradeship the soldier can find when he goes outside the post is the liquor saloon, and there he falls into temptations from which the post exchange is designed to save him.

What is most needed in this country, and especially in the Army, is not so much total abstinence, which is possible only in theory, as encouragement to drink discreetly and temperately, if at all, and an effort to lessen so far as we can his physical craving for stimulants by improving the food of the soldier by good cooking. To the Army may be applied with special force the old proverb, that "it is the devil who sends the cooks." What was sold at the canteen was beer, having about five per cent. of alcohol instead of the fifty per cent. found in the bitters bought so freely from the apothecaries by those who will drink nothing honestly represented as alcoholic. Light wines were permitted, but sold to a very limited extent. As no whiskey or other strong drinks were sold, the stories told of the influence exerted by whiskey dealers to restore the canteen are obviously untrue. The interest of distillers is all the other way. The sellers of the best beer, and the post exchange officers will have no other, are the only liquor dealers interested in this canteen question.

The canteen was somewhat in the nature of an experiment. That it was in all respects what it should be, no one would contend; but was it not far better to improve it than to destroy it altogether? It was in a line with the improved conditions in our Army, and encouraged the habit of temperance which was being formed by various influences tending to lessen drinking, among them being the emulation excited by rifle practice. Good shooting requires that men should refrain from everything that interferes with steadiness of nerve. It is easy to assert, as some have done, that the opportunity to drink beer at the canteen creates the drink habit in men who would not otherwise form it. There is no evidence to show this, but much evidence to the contrary. A dollar a week, or fifteen cents a day, was all that a man was permitted to spend for beer. A visitor to Fort Myer, Vir-

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ginia, where four troops of cavalry were stationed, reported that during the previous three months, the canteen then being in existence, only one man had been seen under the influence of liquor. Swearing and gambling, as well as drinking, are far less common than they used to be in the Army, and the percentage of officers who refrain altogether from alcoholic stimulants has greatly increased and is still increasing. Even of those who do drink, a majority indulge infrequently, and only on social occasions. A large percentage of officers are temperance men in the strictest sense; and for sobriety in conduct and speech, and for a reverent regard for the laws of God and man, our Army officers can safely be compared with any other class of men in the community, the clergy not excepted.

The Army formed after the War of the Revolution was composed almost entirely of native Americans. As the country grew and immigration increased, foreigners drifted into the Army, until at the time of the Civil War representatives of almost every civilized nation were found in the ranks. After our great war, we were able to obtain a very fine selection of seasoned soldiers from the disbanded armies of the North and South. They set a high standard for our Army, and through discipline, combined with the severe experiences of frontier war, gave us at the time of the contest with Spain a body of 25,000 men not to be excelled, man for man, by the picked soldiers of any Army in the world. With the reorganization and increase following the Spanish War, a complete change has come over our Army. The veteran soldier, wearing from four to six chevrons on his arm, each representing a term of enlistment, is so rare as to exert little influence upon the mass of new men. But the high traditions of the service are retained by a body of older officers, who have had an experience of actual war excelling that of most foreign soldiers. These men are striving, and striving intelligently, to build up an army which, while it is distinctly American in its character, shall have a training as thorough as an expert knowledge of the art of war can make it.

We are getting as fine a body of young men as is to be found anywhere, and men having an advantage over all other soldiers in their possession of the distinctively American characteristics of independence of character and quickness in adapting themselves to the varying circumstances of war. This especially fits our

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soldiers for the new conditions of war created by the long-range magazine rifle, with its smokeless powder. "The big battalion phase," as Lieutenant-General Sir Ian Hamilton so well said in his evidence before the British War Commission, "is now about to pass away, and we are entering upon a period when the efficiency of an army will depend far more upon the morale and high training of the individuals who compose it, than upon the mere numbers of those individuals who may be available."

To have an efficient Army, we must have a contented Army. If our soldiers are not contented, they will either desert or refuse to re-enlist, and we shall lose the advantage of continuous training. To make our Army contented we must leave it in the control of those who understand the soldier, and who are earnestly seeking to improve the conditions of service. The two ranking officers of our Army, Lieutenant-General Young and Major-General Chaffee, marched into the Army with muskets on their shoulders, and they, and others like them, should certainly be competent to decide what is best for the enlisted man. Suppose we ask these experienced soldiers to settle this question of the canteen, and not the ladies of the Women's Christian Temperance Union. "It is believed," said the Inspector-General of the Army, General Burton, in his last annual report, "that a well-regulated post exchange, and a thoroughly-equipped gymnasium, would accomplish more toward contentment and discipline in the Army than almost anything the Government can, under the law, accomplish."

WILLIAM CONANT CHURCH.

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IF THE SOUTH HAD BEEN ALLOWED TO GO

BY ERNEST CROSBY.

MR. JOHN MORLEY, in his Life of Mr. Gladstone, expresses the opinion that his hero's sympathy with the South during our Civil War was the greatest mistake of his career. Whether or not Mr. Gladstone's sympathy with the South was a mistake depends, it seems to me, on the character of the motives which determined his choice. If it was a kindly feeling for slavery that influenced him, of course it was a mistake. If it was a lurking fondness for the lazy, useless life of the Southern aristocracy,—for the life of a class like his own, whose boast it was that it lived on the labor of others,—then too it was a mistake. But it is possible to take another view of the issue. In the late fifties and early sixties, the North and South hated each other bitterly. I was brought up in the midst of that hatred and partook of it; and I remember suggesting, as a small boy, when Jefferson Davis was captured, that he be taken through the streets of our cities on exhibition in an iron cage. Our favorite song devoted him to death by hanging on a sour-apple tree. As for the Southerners, they could find no words vile enough to describe their fellow citizens of the North, "Northern scum" being one of the commonest and most polite.

Here, then, is the ethical proposition. We have two neighbors living in partnership and hating each other with a deadly hatred, and one of them desires to separate peaceably from the other. There was no practical difficulty in the way of making a division, for the cleavage ran along geographical lines, and any Master-in-Chancery would have been obliged to report that an actual partition was perfectly feasible. Given this state of affairs, was it morally justifiable for the stronger partner to hold the other to his side by force? This is no constitutional question, for it rises far above the plane of seals and parchment. Indeed, nothing

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obscures moral investigations so much as the dragging in by the heels of artificial and unnatural considerations. The simple issue was: Is it right to hold haters together by force? If Mr. Gladstone decided this question in the negative, I, for one, do not see how he could reasonably have done otherwise.

What was the psychological condition of the Northern mind, that the preference should be given to it? It was filled with hatred, as we have seen; and, where it did not hate, it was still bent upon having its own way. If we except an inconsiderable number of Abolitionists, the question of slavery did not affect the attitude of the North. It was only the South that was preoccupied with slavery. President Lincoln said again and again that the war was undertaken for the sole purpose of preserving the Union, and that he would preserve it, either free, or slave, or part free and part slave. He called out the troops to maintain the Union, and not to abolish slavery. The slaves were finally freed, as a war measure, to assist the armies in the field. The war was not designed to help emancipation, but emancipation to help the war. And what was this "Union" for which so many lives were sacrificed and in honor of which so much poetry was written? In the last analysis, it was the forcible binding together of mutual haters, and its idealization was a curious example of fetish-worship. Apart from sentiment the practical element in the Union spirit was the desire to preserve the size of the country; it was devotion to the idea of bigness, and the belief that bigness is a matter of latitude and longitude,—the same spirit which prevailed in the Mexican and Philippine wars,—in other words, the spirit of Imperialism. It is impossible of course to extract any moral essence from a mere matter of geographical extension, and it is hardly necessary to point out that the greatest civilizations of the past, those of Athens and Jerusalem and Florence, were restricted to narrow areas.

The utilitarian question of results does not properly enter into an ethical inquiry, but it is still interesting to guess what the upshot of peaceful Secession might have been. That the South would have suffered from its new commercial isolation cannot be doubted; and that the States of the Confederation would have quarrelled is almost equally certain, for hard times make hard tempers. It is easy to predict, then, that a nation built upon the principle of free secession would not have remained long intact.

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It is very clear, too, that slavery could not have lasted long along the Northern border; for, even before the war, with the fugitive-slave law in full operation, a continual stream of escaping slaves found its way across the intervening States to Canada. If nothing but an ordinary boundary-line had separated the slave States from free soil, a general exodus of slaves would have begun, and ere long the border States would of necessity have ceased to be slave States. With slavery extinct, the reason for their separation from the North would have ceased, and their commercial interests would have demanded reunion with the United States, while the kindly action of the North in permitting them to secede without interference would have left no hostile feelings in their minds to prevent such a reunion. With the border States once annexed, a new boundary would have been created along their southern frontier, and here again history would repeat itself, until the nation was again one. I do not think that such an outcome of Secession is fanciful, and its realization would have been hastened by the growing impatience of the civilized world with the continuance of chattel-slavery.

Against this natural evolution of the race difficulty what have we actually to set? Slavery was, indeed, abolished; but it is altogether impossible to sum up the evils which we have entailed upon ourselves by the manner of its abolition. First of all, we have the loss of hundreds of thousands of lives, and all the grief and suffering consequent upon that loss. It is a common remark that the wars of Napoleon permanently injured the physique of the French people by killing off the strongest men. Is it not likely that we have suffered to some extent in the same way? Then, how much money did the war cost? And how much more wisely it might have been expended! Furthermore, consider our disgraceful annual pension-bill, which, larger than the cost of any European standing-army, is, I believe, actually increasing, and which seems to have transformed the brave hosts of the North into an army of mendicants! And into that mendicancy who shall say how much fraud has entered? Indeed, the moral effects of the war were its worst effects. I have seen it stated that discharged soldiers founded our army of tramps, a name which has come into use in my time. Do not think that these are the imaginations of a fanatic who sees in history only that which he looks for. In the *Century Magazine* for November, 1903, is an

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article on "The Present Epidemic of Crime," by the Rev. Dr. James M. Buckley, one of the best-known Methodist clergymen in the country. At the very head of the causes of this "Epidemic," he places the great war. "Among the influences which have powerfully affected the primary causes of crime, and are sources of this present epidemic is the effect of the Civil War. . . . The evil done by that war to public and private morality was almost irremediable. Its effects were seen upon Congress, upon politics, upon reconstruction, upon business, upon society, and upon the habits of the people."

One of the worst results of the Civil War was the resuscitation of the spirit of war and Imperialism. Is it a wonder that children brought up in an atmosphere of hate and bloodshed should have had the spirit of hate and bloodshed infused into their hearts? The seed sown then duly bore its crop, and "Remember the 'Maine'!" (a vessel which all the world but America believes to have been destroyed by accident) was the direct offspring of "The Union Forever!" The Cuban War, waged for the independence of Cuba, (which could have been obtained, according to our Secretary of State and our Minister to Spain, without a shot), and the Philippine War, waged for the purpose of depriving a brave people of their freedom, are the legitimate twin offspring of the Civil War.

The speculation caused by the interruption of commerce and the derangement of the currency during our war laid the foundations of the new plutocracy. Money was needed to pay the enormous expenses of destruction, and the tariff began to grow, and behind it monopoly ensconced itself. With the new tramp came the new multi-millionaire, with caste, luxury, pauperism and labor troubles in their train. It would be possible to write a large and plausible volume, tracing the origin of almost all the pressing evils of the day to the Civil War. Was the forcing of the issue of the abolition of slavery a few years before its time worth while at such a cost?

This brings us to the sad fact that the war did not settle the race question, but merely aggravated it. Slavery was wrong and should have come to an end, but we ended it in the wrong way. The real trouble with the South at present is, that the question of slavery was settled over the heads of the inhabitants by a hostile and hated power. No people could at heart accept such a settle-

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ment with good grace, and it is not to be expected of human nature. We stabbed the South to the quick, and during all the years of reconstruction turned the dagger round in the festering wound. The spirit of war and Imperialism has never yet settled any question, except the question as to which side is the stronger; and now, after forty years, we are beginning to learn that the negro has yet to be emancipated. If the South had been permitted to secede, slavery would have died a natural death, the Southerners would have felt that they had consented to its demise, and they would have accepted the new order with that attitude of acquiescence which is necessary to the success of any social experiment. We have still at this late day to learn the ancient lesson of Buddha: "Hatred does not cease by hatred at any time; hatred ceases by love; this is an old rule."

The wisest thing that was said by any Northerner at the outbreak of the war was the saying usually ascribed to Horace Greeley: "Let the erring sisters go." Mr. Whitelaw Reid has loyally endeavored to defend his former chief from this ascription, and he declares that Mr. Greeley never used the words. If Mr. Reid is speaking solely in the interests of historical accuracy, well and good; but if he is stretching a point to save his friend, he is doing him a doubtful service, for the final historian of the Civil War will have to record that these were the words, and the only words, of wisdom. If Mr. Gladstone echoed them in the spirit in which they were uttered, he was right, and Mr. Morley should reconsider his judgment.

ERNEST CROSBY.

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THE PERSONALITY OF HAWTHORNE.*

BY WILLIAM DEAN HOWELLS.

MR. JULIAN HAWTHORNE can hardly be thanked enough for the quite unembarrassed frankness of his dealing with those simpler and closer details of his father's life which embody a man's personality to his acquaintance, and, if he is a great man, extend and transmit the notion of it to strangers in the remoteness of time and space. He has done his work so faithfully and so fully in the constantly interesting volume, "Hawthorne and his Circle," that there are chances it will remain the favorite life of our incomparable romancer out of all the lives that have been or that shall be written. As the author has it from time to time on his conscience to remind us, the book is not a study of Hawthorne's work; it is scarcely a study of Hawthorne's character; it is so little a premeditated or intentional analysis of his method or his mind that it has none of the offensive or defensive qualities of a criticism; but it is a picture of one of the most fascinating and important literary men who ever lived, as his own family knew him, and as the lovers of his books will be glad to know him, among the friends he made. He is by no means posed as the centre of his circle; and it cannot be said that his friends or his casual acquaintance are introduced at any moment for the set purpose of lighting his figure up, or throwing a contrasting shade upon it. But since he is there among them, we cannot help having the advantage of their personalities in rendering his more intelligible.

Next to making him so clear and appreciable, it seems to me that the most valuable office of Mr. Julian Hawthorne's book is the admirable illustration, both conscious and unconscious, of Hawthorne's period. The most trivial of these fond records con-

* Hawthorne and his Circle. By Julian Hawthorne. Illustrated. New York and London: Harper & Brothers.

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tributes to the effect. The boy, growing up beside the man, and having his hand so often both literally and figuratively in his father's hand, had yet such an objective sense of the environment as his elder could not have, for all the vastness of his scope, and the keenness of his vision. His look was necessarily an inlook, and it is the outlook which Mr. Julian Hawthorne makes the future his debtor in supplying. When Mr. Horace Mann, Hawthorne's brother-in-law, finds him smoking, and in the relentless zeal of a reformer tells him he can never feel quite the same towards him thereafter, Hawthorne has a thoroughly humorous pleasure in the renunciation, but Mr. Julian Hawthorne, together with this, brings the complexity of a more sophisticated time to the puritanic fact and gives it entire significance in our atmosphere. Against the softer, if not wider, horizons of our later day, he lets us see it in all its rigid grotesqueness, its inflexible absurdity, in which also there is a kind of reason. I remember, or I think I remember, reading somewhere in Dr. Holmes, possibly in an "Autocrat" paper, but more likely elsewhere, his confession, his most tolerant and kindly yet scrupulous confession, of the personal judgment he tacitly passed upon a young man whom he saw reading "Don Juan," as if that young man, because of his indulgence in such literature, could not be quite what the friend of young men could wish him to be. We have gone far since then, and whether we smoked or read "Don Juan" or not ourselves, we should hardly renounce or condemn those who did, in ever so slight a measure. There remains, of course, the question whether New England civilization was the more excellent or enviable in its flowering or in its going to seed.

I.

Hawthorne was most distinctly of this civilization, as much when he was out of it as when he was in it. He saw a great deal of the world, but wherever he went, or wherever he stayed, he carried the hated Salem of 1850 with him, and helplessly kept it about him. He was not less a New-Englander but more for being the sort of Antipuritan always at the heart of Puritanism in the home and realm it found for itself in the New World; and when he visited the Old World, or, as it seemed, revisited the Old World, he brought with him for its interpretation and judgment the very criterions and measures against which he himself re-

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belled in his native air. He was in the best sense, in the sense that a child is so, immensely primitive, primitive quite beyond simplicity, and though he came to know a great commercial capital like Liverpool, a great social and political capital like London, an historical and æsthetical capital like Rome, it was with such involuntary reserves as kept him still ethically a citizen if not a denizen of Salem. He was a very good man, a man as pure in life as in thought, but he was primitively bad as well as primitively good, and he gave way at times to his resentments with something like an aboriginal singleness of heart; at other times he retained his grudges with rather a relentless rancor, though he might not nourish them by retaliation. He mellowed with the years, as men commonly do, but always he was a man of primitive feeling, which sometimes he indulged and sometimes he did not indulge. It is known how quite mercilessly he mocked the old fogies of the Salem Custom-house in his introduction to "The Scarlet Letter," and I recall how a Salem lady, to whom I confided, on my first visit to the place, that I had been wearing out the sandal-shoon of a young Western pilgrim in looking up the several shrines of Hawthorne's genius, said she knew a girl who would like to poison him because of such of these mockeries as touched her ancestors. There was, in fact, no love lost between Hawthorne and his birthplace, but probably neither knew how much was their mutual debt. If he conferred deathless renown upon her, with something very like a cuff, she had begun by endowing him from the stores of her deep puritanic past with a strong nature which could emerge from its shy withdrawal, on occasion, in forays of scorn and hate. There yet remains to be born any American more American than Hawthorne, or more expressive of the potent original qualities which the English race in its transplantation sucked up from the wild soil of the New World, or drank in from its tingling air. I should be sorry to oversay my sense of all this, and sorry that it should carry to the reader the notion of anything fierce or malign in the man whose history could be told in the last detail, without showing him other than habitually good and kind, as he was invariably duteous and true.

II.

Mr. Julian Hawthorne shows no disposition to flatter the facts of his father's more intimate life, by which he lets us know him

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as the heart of his home, wherever the home might be, whether in the quaint old Salem house, which I never found; in the farm cottage in Lenox; in the Wayside at Concord; in the various English lodgings and boarding-houses; in the hotels of Paris, Rome, and Florence. We learn to know him familiarly, in his son's report of him, and we see him with eyes which we trust as our own. The boy first saw him at the desk where he was always writing, as it seemed, in a long dressing-gown and slippers down at the heels: "a tall, strong man, whose wide-domed head was covered with wavy black hair, bushing out at the sides. . . . Under heavy, dark eyebrows were eyes deep-set and full of light, marvellous in range of expression, with black eyelashes. *All seemed well with me when I met their look,*" Mr. Hawthorne adds, with a touch that goes to the heart both for his father and for himself. He recalls his father as broad-shouldered and deep-chested, and nearly six feet tall; "his legs and feet were slender and graceful, his gait long and springy, and he could stand and leap as high as his shoulder." He had "a mechanical talent," and he made the children amusing toys, and after they got into the country at Lenox, he taught them his love of the woods and fields; he would call out to them to hide their eyes, "and the next moment, from being there beside us on the moss, we would hear his voice descending from the skies, and behold! he swung among the topmost branches, showering down upon us a hail-storm of nuts." He went sledding with them, and coasted floundering down among the drifts, and he joined them in their snow-fights. He believed that the country was best in winter, but, after all, he did not like Lenox, for he was not well there. Wherever he was, he was the good comrade of his children, but their guide, philosopher and friend, as well as their playmate. He watched them carefully, though tacitly, and it is only in the retrospect that his son is aware how much his father's fellowship was educative. He was still, and more and more as he grew older, his father's companion, who, in their walks about the Liverpool neighborhoods, would occasionally drop "some half-playful, imaginative remark, calculated to make me realize the situation that was so vividly present to himself. His thoughts, however deep, were always ready to break into playfulness outwardly. . . . He was somewhat solicitous, I suspect, to check in his son any tendency towards mere poetical sentiment," says Mr. Hawthorne, and he most importantly adds, "His

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own imaginative faculty was rooted in common sense." As consul at a large seaport his official life was largely passed "with all varieties of scamps and mendicants, fools and desperadoes, and all the tribe of piratical cutthroats which in those days constituted a large part of the mercantile marine." Yet he rather throve in his occupation; he became interested in it; "there was a practical side of him which took hold of the business in manfashion, and transacted it so efficiently as to leave no room for criticism," though it remained "inveterately objective" with him, and "the only feature of it that quickened a responsive chord in him was the revelation of the intolerable condition of the sailors in many of our ships," which he dwelt upon in his despatches to the State Department.

In the Liverpool suburb where the Hawthornes lived, fifty years ago, the people "were dull, ignorant, selfish, material, conventional; they were hospitable on conventional lines, they were affable and even social, so long as you did not awaken their prejudice." With them, "England was the best of all countries, and the English the leading nation of the world," but they had never heard of Tennyson or Browning. Yet "the impact against such a clay wall" rather amused and interested Hawthorne, "and even won a good deal upon his sympathies. He loved the solid earth as well as the sky above it, and he was glad of the assurance that such people existed, though he might be devoutly thankful that two hundred years of America had opened so impassable a gulf between him and them. . . . Of course they had never read his books; literary cultivation was not to be found in England lower down than the gentleman class." So, "he was never obliged to say 'I am glad you liked it' to them," and that was a bond of friendship in itself. This dense atmosphere, if peculiarly favorable to Hawthorne's habitual withdrawal into an air of his own, formed no temptation to pass the bounds of the home circle which he loved best of all. Mr. Hawthorne intimates more than once how seriously, yet how humorously and playfully, he lived in his children. He was glad whenever his son detected the "mawkish taint in literature or life," and the boy "breathed a manly, robust and bracing atmosphere in his company." Among the various people whom this simple, strong and wise soul came in touch with, he was peculiarly fond of the old skippers, as Fields noted in Boston, before Hawthorne had entered into official rela-

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tions with them in Liverpool, and had come to dwell with them in the same boarding-house. Mr. Hawthorne says they were shy of his consular dignity at first, but quickly reconciled themselves to his good-fellowship over a game of euchre and the accompanying tobacco. "No one took liberties with him, and he took none with anybody; yet there was no trace, in his intercourse, of stiffness or pose. . . . On the other hand, he obviously elevated the tone of our little society; the stout captains, who feared nothing else, feared their worser selves in his presence. None of them knew or cared a straw for his literary genius or productions, but they were aware of something in him which they liked and respected."

One of the most significant things which Mr. Hawthorne notes in his father is that sort of duality, or plurality, by which a superior man loves several things the best. The reader of "Our Old Home" need not be reminded of the frank distaste with which Hawthorne spoke of many things in England and the English which he disliked; yet, when he left them for his Continental journeys and sojourns "he began to be conscious of discomfort which was only partly bodily or sensible. An unacknowledged homesickness afflicted him—an Old Homesickness rather than a yearning for America. He may have imagined that it was America that he wanted, but when at last we returned there he still looked back towards England. As an ideal, America was still and always foremost in his heart. . . . America might be his ideal home, but his real home was England, and thus he found himself, in the end, with no home at all outside of the boundaries of his domestic circle."

The like happened with a man so unlike Hawthorne as Lowell, so unlike even in their common New Englandry; with both, in their passion for America, their affection was ultimately for England. Both were deeply domesticated men, as only Americans can be, and with both their own roof-tree became their sole country, their *patria*. The effect made itself felt in the homelessness Hawthorne experienced outside of his family in the streets of Paris, where many things gave him pause. It is not altogether humorously that Mr. Hawthorne notes that though his father "enjoyed the French cookery, he was in some doubt whether it were not a snare of the evil one to lure men to indulgence." He felt keenly the cold of warm countries, which one cannot escape

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as one can the cold of cold countries, and both in Paris and Rome, his suffering from it disabled his sense of beauty in the world of art to which he was so alien by all his tradition: the naked women statues and pictures seemed to him repulsively indecent, and it was not till the weather grew milder that he was able partially to judge them æsthetically. In fact, he never reached the unmorality of the classic standard; architecture suffered with sculpture and painting in his censure, but of course not so severely, and he entered his judgments in the diary he kept with a savage sincerity. "These are the iconoclasms of the Goth and Vandal," Mr. Hawthorne says after citing some of the censures, "at their first advent to Rome. They remained to alter their mood, and so did my father," but it is questionable whether he was ever quite at peace with the things which he first required to prove their innocence. If he did not reconcile himself to the æsthetics of Latin civilization, still less did he yield to its ethics. When it came to affairs of right and wrong, no matter how trivial, he was inflexible, and the departure of the family from Rome was celebrated by a scene of melodrama such as ensues in Italian countries when the *forestiere* makes a virtue of resistance to imposition. The Hawthornes had a worthless little maidservant, Lalla, whose tribe wished to levy tribute for all the things she had left undone, and appeared with her at the last moment to urge her claim. "'No!' said my father, and 'No!' said my mother, like the judges of the Medes and Persians," and then Lalla and her tribe tried what cursing would do. "I think my father would not have yielded had the salvation of Rome and all Italy depended upon it." Apt enough to make liberal bargains, he was "absolutely incorruptible when anything like barefaced robbery was attempted."

Hawthorne liked Florence better than Rome, and would willingly have settled there for the rest of his life. He met people he liked there, rather more than in Rome, and he was especially friends with Powers, the sculptor, a man much more important and interesting than the best of the things he did, and these were better, taking their time into account, than people are now willing to allow. The two were congenial in the vein of mysticism which allied their equally primitive natures. It was the moment when the raps of spiritualism were shaking mankind, "and Powers was pregnant with the marvels which he had either seen or heard of and which he always tried to explain on some philosophical

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ground. My father would listen to it all, and both believe it and not believe it," for he too had experienced strange overtures from the occult, in mysterious sounds and touches, if not sights. Hawthorne was in fact not the man to refuse such advances, as he was not the man to invite them, and they appealed to the common sense of his strong practical nature with the same claim upon his recognition as any every-day incident. He deeply felt, as every man of common sense must feel, that material things are not the only realities; that they are perhaps the least real among realities.

III.

In this summary of the various aspects of Hawthorne as he is shown in his son's book, the reader of it will easily see that I have not done the book itself justice, and my defence is that I am not here attempting that. I might otherwise have something to say both in praise and in blame of the fashion of its doing; I might insinuate that there were errors of taste and errors of judgment in the record, and yet I do not know that if pushed to the wall I should say there was anything I would have left out. Concerning each debatable point, I can fancy myself yielding it to the author, and upon the whole thanking him for having committed just that error, since all he says tends to a fulness of knowledge concerning Hawthorne. Even where the errors do not apparently concern him, they really concern him, for in the excess with which some of his circle seem presented, we have the more abundant material for imagining the man who perennially interests, and, humanly speaking, will eternally interest the lover of literature. In this study of Hawthorne's environment, the obscure or obscurer figures of his circle are no more slighted for the more famous figures by the son than the father slighted them. The two Hawthornes are alike in the essential democracy that finds human nature always important, and the reader in the measure of his own genuineness will share their pleasure in the simpler and plainer folks whom they touched, the father in his life, and the son in his record of it. It is by no means part of the rising man's good fortune that his rise eliminates him from the common level, and after one has satisfied in a measure the appetite for celebrities, one would rather have gone on hearing about such of his acquaintance as have not been otherwise heard of. But there are abundant celebrities in the book, whom Mr. Hawthorne

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sketches in their relation to Hawthorne with the same frankness that he uses with Hawthorne himself. A man of Hawthorne's approved greatness, such as he was after "The Scarlet Letter" and "The Blithedale Romance" made him known, could not dwell in Concord, in Liverpool, in London, in Paris, in Rome, in Florence, without being sought out and found out in whatever remoteness he tried to guard, by all sorts of distinguished people; and this duly happened with Hawthorne everywhere, except perhaps in Salem, where he never personally lived after he became known. Thanks to their inevitable occurrence we have a multitude of such figures in "Hawthorne and his Circle." But Hawthorne himself was easily the first figure of the circle, no matter who entered it, not because the terms of the book are that he should be so, but because it is doubtful whether he ever met a greater man than himself, in America, or England, or Italy. It is remarkable how positive his greatness as an artist is, in spite of the delicacy and sometimes the thinness of his art. The wonderful flower of his talent glowed in this workaday air with a holiday splendor, that was by no means merely relative; in Longfellow alone had he any competitor or rival in art, and their kinds were so different, that they did not apparently vie with each other. All that straw, however, has long since been many times thrashed out, and I did not intend even to touch it, in my wish to see Hawthorne as a man by the light freshly thrown upon him. It does not strike me that any one will see him in this newly so much as anew. Here he is what he always was; and yet, since there has been rather more than enough insistence on those easier means of judgment which have delivered him to the imagination as shy, cold, severe, and quaint, I have been glad of the facts which embody a larger and kindlier and juster conception of him. I do not know why he should seem singular in being so simple, and kind, and faithful in all those relations of life in which literary celebrities have sometimes not excelled, for certainly he is only of the American average in this. What strikes me first and last in him is how entirely American he always was. He epitomizes the effect of American history on its domestic and civic side, if he does not epitomize that history itself.

I remember once the graphic Tom Appleton, who used to say so many of the good things said in Boston, saying that Hawthorne "looked like a boned pirate," and I remember also the grave dis-

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pleasure with which Longfellow heard the phrase when repeated to him by one who was perhaps too great a lover of phrases. No doubt the poet, who was Hawthorne's lifelong friend, felt the subtle injustice which a certain aptness in the saying did the man whose gloomy presence expressed the ancestral as well as the individual personality. It is not for nothing that his forefathers lived two hundred years in the Puritan atmosphere of New England, and were judges of witches before they went down to the sea in ships. Yet Hawthorne was not only a man of the past, but a man of the present. If he did not feel the tremendous wave of optimism that swept New England to a greater height of goodness than any other land has known, he knew the sweetness of living simply, purely, nobly. The evil that men too often do became for him merely the problem for a darkling imagination, and the passions yielded him the secret of their most tragical significance without first making him their prey.

IV.

Here at the end I find myself with the wish to say something of Hawthorne which I must say, if at all, in apparent contradiction of some things I began by saying. I will venture upon them with what courage I may, and leave the reader to strike the balance of truth.

All the forming days of his years he dwelt in his native and ancestral New England, but he was in it, not of it, so far as its more ostensible passions and aspirations were concerned; though it would be so hard to say what other land or people he was more of that it would be easier to suppose him of some origin and substance not affected by the motives of his fellowmen anywhere. In a sort this was literally true of him. He was poor and unworldly, yet he prospered through straits all but dire to fame and competence by his helpless constancy to a high ideal of literature, which, as his son attests, was the fine flower of his common sense, and as every lover of his books can witness was in nowise transcendental. He was a Brook-Farmer, but amidst communistic dreamers he preserved a skeptical allegiance to the old order apparently so unfriendly to himself. While all the best minds and natures about him were stirred to the noble abhorrence of slavery, he not ignobly held aloof from the strain and stress of that period of impassioned politics, and kept pure the artistic

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soul from those public ethics which penetrated even the æsthetic privacy where Longfellow dwelt apart if not alone. When the great war came, he indeed found himself in enmity to secession, but as much critically amused as impassioned in his patriotism. The religious change which passed over New England did not leave him Puritan in creed, for that he had never been, but neither did it make him over in the likeness of the newer saints who soared or rested in an optimistic faith in the perfectibility and early perfection of human society. However little of the past he formally was, he was quite as little formally of the present; those who were in no haste to accept his retarded condemnation of the South in the war against the Union could not have dealt more severely with him than I heard, in my first years at Boston, an eminent Unitarian minister deal with him for what he considered his libel of the New England Puritan clergy in venturing to imagine the Reverend Arthur Dimmesdale and his dark history possible to any man of his cloth.

WILLIAM DEAN HOWELLS.

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A NEW ANGLO-AMERICAN DISPUTE: IS HUDSON BAY A CLOSED SEA?

BY P. T. McGRATH.

HUDSON BAY is, geographically, to this continent what the Baltic Sea is to Europe, and all evidences indicate that, ere many years, its shores will be peopled with prosperous communities and its waters dotted with the argosies of commerce. Meanwhile, however, it threatens to become the theatre of an international entanglement second only in importance to the Alaskan Boundary dispute. Canada has recently despatched an expedition to Hudson Bay in the Newfoundland sealing steamer "Neptune," with the twofold object of expelling American whalers from that region, and determining its navigability as an ocean grain route. In the latter project, the United States has no direct interest, though indirectly it may seriously affect her export trade in cereals; but the former embodies an issue capable of developing into a cause of bitter friction, if not open rupture, between Britain and America. Canada's proposal to declare absolute sovereignty over this immense body of water, is one fraught with considerable interest to the American people in view of all surrounding circumstances. Now that a second transcontinental railway is being enterprised by the Dominion, through a territory in close proximity to Hudson Bay, with the avowed object of providing an outlet for grain independent of the United States, the whole character of the "Neptune" expedition is one to compel the closest observation from all those concerned in the future well-being of the two countries.

Hudson Bay takes its name from the famous voyager whose memory is equally immortalized in the river which traverses New York State. In 1610, he was despatched to the Arctic to seek the Northwest Passage, and entered the Strait and Bay now called

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after him. Here, his provisions running short, his crew mutinied, and set him adrift in an open boat to perish in its desolate waters. Succeeding explorers discovered its wealth in fish and peltries, the Hudson Bay Company was formed in 1670, and the French also sought to share in these riches. The struggle between them lasted until 1713, when France, vanquished in warfare afar, was stripped of most of her North-American possessions; and, among other things, the sovereign rights "to the Bay and Streights of Hudson, together with all lands, seas, seacoasts, etc," were transferred to the British Crown, and a vast principality in the northland came under the undisputed sway of the "merchant adventurers" composing the Fur Company.

By the Treaty of Washington in 1818, the American fishermen were granted equal rights with the British on the West Coast of Newfoundland and northward indefinitely along Labrador, "without prejudice, however, to any of the rights of the Hudson Bay Company." The monopoly exercised by the latter, while absolutely comprehensive by reason of long usage, is yet sufficiently vague in its terms to make its precise effect a subject of nice diplomatic disputation. Its charter was granted prior to the cession of the Bay to England, and reaffirmed in the Treaties of Utrecht and Washington, but the foregoing clause might be construed to mean that the Americans could fish in the waters of Hudson Bay if and where they did not infringe upon the rights of the "Great Company." Along West Newfoundland and Labrador, the Americans are on equality with Newfoundland and Canadian fishermen. Labrador, according to English statutes, terminates at Cape Chidley, its northern promontory. Then Hudson Strait, 45 miles across to Cape Resolution in Baffinland and extending west 500 miles, forms the entrance to Hudson Bay. Therefore, the question arises, Does the concession to United States subjects to fish "northward indefinitely" in the Treaty of 1818, mean that it ceases at Cape Chidley and revives at Cape Resolution; or was it the intention that the same right should continue into Hudson Strait and Bay, not alone as regards the off-shore waters of mid-channel, but also the "territorial" waters of the inshore area or "three-mile limit"?

The force of this query can be more clearly appreciated if it is remembered that the United States has not subscribed to the British "headland to headland" doctrine, by which all the waters

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lying within a line drawn from headland to headland are held to be embayed, or territorial, and to constitute the "*mare clausum*" of diplomatists. Uncle Sam has, on the contrary, contended for the three-mile limit following the sinuosities of the seaboard. Hudson Bay is the third largest enclosed marine area in the world, being next in size to the Mediterranean Sea and the Caribbean Sea, and a Bill is now before the Ottawa Parliament to change its name to the Canadian Sea, "for good political and national reasons, and to assert Canadian supremacy over the waters of the Bay and the adjoining territory."

The length of the Bay is 1000 miles from north to south, and its greatest width 600 miles, its area being 580,000 square miles, or nearly six times that of the Great Lakes separating Canada from the United States. The area of the Mediterranean is 977,000 square miles, and that of the Caribbean 680,000. The only entrance to the Bay is Hudson Strait, which is a channel of nearly five hundred miles in length, with a width of about one hundred, though at the narrowest point it is but forty-five. Under the headland theory and the cession of 1713, this whole marine area, between Labrador and Baffinland, would be the absolute possession of Britain by conveyance from France; but the point is advanced by American critics, that no act of any nation two centuries ago could deprive the rest of the world of access to such a region for all time to come. Practically, the only people who have frequented the Bay the past sixty years are American whalers from New Bedford, who winter at Marble Island, on its western coastline, where they carry on their fishery and traffic with the natives. It is argued, moreover, that their prosecution of the fishery for so long a period, without interference from the nation claiming sovereignty there, virtually establishes a right which England is bound to respect, and which Canada cannot decently refuse to acquiesce in.

Nevertheless, there has been a persistent demand for years by the press and public of Canada that there should be a substantial demonstration of her sovereignty over these waters, and the Ottawa Government has now bowed to that demand and despatched a patrol ship there. The international aspect of the question may or may not result seriously in future; but, certainly, it will not be an easy matter for Canada to carry out the policy of expelling the alleged trespassers. The military section of the expedition is

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headed by Major Moodie, of the Northwest Mounted Police, who carries a commission as "Governor of Hudson Bay and the regions adjacent thereto," and has a detachment of that famous corps with him, to assist in the administration of his post. American whaling crews are not composed of the most tractable persons, and an attempt to overawe them may result as did the early efforts at preventing seal-poachers from operating in Behring Sea. What course the United States will adopt with respect to Canada's assertion, that upon the marine wealth of Hudson Bay no foreign fishermen has the right to encroach, cannot, of course, be predicted; but in official quarters the prospect of another bone of contention being dropped into the diplomatic arena is regarded as by no means unlikely.

The marine wealth of the Bay is so vast and varied, that it is easy to understand why Canada should be desirous of preserving it to her people alone. Chief among the denizens of its waters, are the mighty "bowheads" or Arctic whales. These have the longest and finest whalebone, worth $14,000 a ton, and an adult bowhead will yield 1,500 pounds, besides the oil obtained from its carcass, so that a whale is valued at from $12,000 to $20,000, according to size. United States statistics show that, during ten years, the whale fisheries of Hudson Bay realized a total value of $1,371,000 for fifty voyages, or $27,430 per voyage. These figures illustrate sufficiently the feeling with which American whalemen will view a proposal to expel them from the region; for, not only would their exclusion prevent their fishing in Hudson Bay or Strait, but it would also debar them from access to the channels which strike north through the *terra incognita* west of Baffinland and which are now the favorite haunt of the polar whale. From their winter quarters at Marble Island, whalers pursue their prey every spring as soon as the ice breaks up, and all through the season until navigation closes. Besides these black whales, which are sometimes 70 to 90 feet long, white whales, about 14 feet long, and valuable for both hide and oil, are also found in great numbers, one Canadian explorer asserting that he has "observed the surface of the water, as far as the eye could reach from the deck of a vessel, appear an undulating sheet of white, caused by vast shoals of them." Walruses, too, are seen in large numbers there. The hide, used for belting, weighs three hundred pounds and averages ten cents a pound, the ivory tusks usually being

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worth ten dollars. Then, narwhals occur there less frequently, and porpoises exist in innumerable shoals, whose hide and oil have a wide demand in the manufacturing world. The square-flipper seals have their mating-place in the Bay, and are steadily hunted, they being almost as large as the walrus. All these creatures are the spoil of the whalemen, and used to complete his lading; and the hard-working New-Englanders will certainly wonder why, after sixty years of undisputed fishing there, they are now required to leave.

But, in addition to these mammals, thirty species of edible fishes—cod, salmon, white-fish, grayling, halibut, caplin, pickerel, etc.—are known to occur in the Strait or Bay, or the rivers emptying therein. The Newfoundlanders now regularly visit Ungava Inlet, an enlargement of the Strait, each season, in pursuit of cod, and return with substantial catches. At Fort George, on James Bay, a southern extension on the main basin, cod are also frequently taken, but, owing to the remoteness of the region from the marts of commerce, no attempt has been made to utilize this varied fish-life to the advantage of industry and enterprise.

Indeed, save for the American whalemen, the Newfoundland cod-men, and the Hudson Bay Company's steamer which visits the stations there each season, no ships ever ruffle the placid surface of the Bay; and of Canada's 5,500,000 people probably not five hundred have ever seen it.

The chief fame of Hudson Bay has hitherto rested upon the peltries of the Fur Company. Although the pursuit has been continued for nearly two hundred and fifty years, the wealth of the region in this respect remains almost unimpaired. An explorer writes:

> "At one station alone it is not uncommon for the Eskimos, in a season, to bring down from the North three hundred or four hundred skins of musk-oxen (animals like caribou, weighing six hundred to seven hundred pounds), besides many others of polar bears, caribou, arctic wolves, wolverines, foxes, etc. I have myself seen the richest of furs stacked by the Eskimos like haystacks upon the shore, to await transportation to the Hudson Bay Trading Posts. At one locality I visited in 1885, the Eskimos had trapped over one thousand white foxes, besides many wolves, wolverines, and colored foxes."

Except the beaver, the total of which has diminished by one-half in recent years, all other peltries have virtually held their

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own, and the Hudson Bay Company pays out every year two million dollars for the purchase of skins alone, besides the cost of supplies and salaries of its officers and men. Another authority tells of the shipment from one post on the west side of James Bay of no less than ten tons of wild-goose feathers in a season, a figure that represents a kill of at least one hundred and twenty thousand, seeing that but three ounces of feathers are secured from each bird. They visit the region in enormous flocks, it being a favorite feeding-ground, and they are slaughtered with old-fashioned guns, loaded with small shot, which occasionally bring down twenty to thirty at one discharge. They are so abundant, indeed, that the flesh is salted and issued as a ration to the Indians.

As far back as twenty years ago, before even the present realities and future possibilities of Western Canada were at all appreciated, far-seeing capitalists throughout the Dominion were advocating a railroad to Hudson Bay, and steamships thence to Europe, making a new and short route for grain and perishable foods in transit to market. The proposition was so strongly supported that the Dominion Government sent out an expedition, in 1884, in the Newfoundland sealer "Alert," which spent three seasons investigating the merits of the route. Lieutenant Gordon, R.N., who was in chief command, ultimately presented a decidedly adverse report, and, after that, the project languished until 1896, when, it being actively advocated in Manitoba, Mr. (now Sir) Wilfrid Laurier, promised that, if returned to power, he would equip a second expedition to determine if the conclusions of the first were well-founded. The supporters of the Hudson Bay scheme had contended that, owing to Canada's being under such heavy financial obligations in 1884, through the building of the Canadian Pacific Railway, the Government at that time were not desirous of a report favoring the Hudson Bay route, as it might involve other demands on the Dominion Treasury, and that Lieutenant Gordon's report was framed to discourage the venture for that reason.

In 1897, the Laurier Cabinet despatched the promised expedition in the "Diana," a sister ship of the "Neptune." But this party only cruised about the Strait for one summer and then returned, and their deductions, which were to the same effect, but not so strongly, have, consequently, not been accepted as conclu-

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sive, the influence of the Canadian Pacific Railway being said to have affected the Dominion Government this time also.

The present "Neptune" expedition is, however, much more comprehensive in its scope. The ship will proceed through the Strait this season, visiting all the North Coast Islands and hoisting the British flag thereon, and will formally notify the American whalers to leave. What degree of force, if any, will be exerted against them to make this command effective, is not stated, but it is significant that Major Moodie is gazetted as "Commissioner of Police," and Mr. A. P. Low, who has charge of the scientific side of the expedition is appointed "a fishery officer under the Fisheries Act, and the Act respecting fishing by foreign vessels." It is pointed out that, in any event, American whalers have no right to enter Canadian territorial waters and trade with the natives, without paying duties on the outfits used, and accordingly a police post will be established near the whaling centres. This duty done, the ship will go into winter quarters about Chesterfield Inlet, the exploration of the musk-ox country to the north and west being undertaken during the ensuing months. When the spring reopens, the steamer will survey the coast of Hudson Bay about Fort Churchill, so as to secure data for the use of shipping-men. Her next cruise will be northward along Baffinland to Lancaster Sound, visiting the whaling stations and planting the union-jack upon all the lands and regions there. This important task being performed, the records of the whole ceremonial of visibly manifesting British authority being made, the ship will cruise in the Strait until November, 1904, remaining as late as she dares, and then make her way back to St. John's, unless she gets frozen in the floe there.

The theory upon which the Hudson Bay route is based is, that it is possible for grain-laden ships to traverse these waters for almost five months of the year, carrying the produce of the Northwest to market immediately after the harvesting of the crop. Hudson Bay certainly provides the shortest and directest route, as the following figures make clear:

	Miles.
Winnipeg *via* Hudson Bay to Liverpool	3626
Winnipeg *via* Montreal to Liverpool	4228
Duluth *via* Hudson Bay to Liverpool	3728
Duluth *via* New York to Liverpool	4201
St. Paul *via* Hudson Bay to Liverpool	4096
St. Paul *via* New York to Liverpool	4240

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From these figures, it is evident that the readiest outlet to the best markets in the world is opened to the wheat-growing territories of the West by Hudson Bay, if the channel is navigable for a sufficient period each year. The area of land and water tributary to the Bay is unusually great. That drained by the Red River is estimated at 432,000 square miles, embracing the valley stretching northward almost from the source of the Mississippi for a tortuous 700 miles, of which the waterways on the American side of the international boundaries are navigable for 450 miles. This vast tract is capable of producing, at a low average, 500,000,000 bushels of cereals. The Saskatchewan, too, drains a fertile country, and is navigable for light craft for 1500 miles. The "hard" wheat of this valley is about the best in the world, and the millions of acres here have been barely prospected, in an agricultural sense. The Peace River will in future produce millions of bushels of wheat. Until recently, the Hudson Bay Company imported all its flour from England, but then it established a flour-mill at Fort Vermillion, in the Peace Valley, which now supplies with flour, ground from native wheat, many of its stations in that vast northland, where the mill has steamer communication, broken at one point only, with a country as extensive as Europe, excluding Russia.

The extent northward of Canada's wheat belt is no longer a subject for dispute. It stretches away into the high latitudes towards the sub-arctic zone. Last year, at the Roman Catholic Mission at Fort Providence, on the Mackenzie River, a few miles east of Great Bear Lake, a very fine wheat crop was raised, being sown and harvested within ninety days. This point is just above the 62nd parallel, or in the same latitude as Southern Greenland. The latitude of Winnipeg is about 300 miles north of Montreal, and that of Edmonton 250 north of Winnipeg, so that Fort Providence is 1150 miles north of Montreal. This fact renders possible the cultivation of wheat through the vast terrains of the Athabasca, Slave, and Mackenzie Rivers, the products of which would naturally flow towards Hudson Bay, as the freight charges would be greatly increased by shipping them southeast to Montreal and Quebec, almost doubling the haul to tidewater. Within closer proximity to Hudson Bay, too, are spacious arable tracts. In the James Bay section, spring wheat is grown, and at Moose Factory they raise farm and garden

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products, oats, barley, beans, pease, cabbage, carrots, onions. At Fort George, 250 miles north of Moose Factory, strawberries are ripe on August 1st, while vegetables and grain grow to perfection and good-sized herds pasture on the grass. But not alone would the Hudson Bay route, if feasible, serve for the transport of all the products of these new wheat areas in the remote north; it would also perform the same purpose with those of the region now to be opened up by the proposed trans-continental railway of Canada, and it would divert great quantities of grain from Manitoba and the American border States, which at present reach the seaboard at Portland, Boston and New York.

Of course, to have the route available for the transport of grain, it would be necessary that steamers should be able to successfully navigate the Strait up to November, so that the new crops could be marketed at once, instead of being kept over for another year. But, even if this were found to be impracticable, it is held that there would still be abundant traffic to justify using the route for the period of open water. Fort Churchill, on the west side of Hudson Bay, and the harbor chosen for a railroad terminus, is 1,000 miles nearer to Regina, the capital of the Canadian Northwest Territories, than is Montreal, so that it is unnecessary to emphasize the possibility of great reductions in freights in shipping to or from the prairie country. More than that, too, the haul between Fort Churchill and the great distributing cities of the American Northwest is so short that such a route, if physically practicable, would come into keen competition, not only with the American all-rail lines, but also with the transpacific steamships contending for the world's carrying-trade. The distance between Liverpool and Vancouver *viâ* Hudson Bay is 4,568 miles, a saving of 1,300 miles—all in rail-haul—over the present Canadian Pacific Railway route. The season when this new route is open is the busiest period of the year in Western Canada, and much inward and outward freight might be carried during that time at rates far below those now demanded.

Moreover, apart altogether from the question of the use of this route for grain shipments, or for diversified western traffic, it would still prove a foremost factor in Canada's industrial development, by supplying a means of opening up to the capitalist and the toiler the varied resources of the Hudson Bay hinterland. Many valuable and promising discoveries of economic minerals

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have been made there. Iron ores have been located, of various kinds and in prodigious quantities. To the south of Ungava Bay hematite, unequalled in richness and extent elsewhere in Canada, is to be found. Rich beds of manganiferous iron crop out on the east shore, and there are large deposits of carbonate iron, or ironstone, inside James Bay. Pyrites, in workable quantities and of great purity, exists on the west shore, and argentiferous galena near Richmond Gulf. The formations in the Strait hold graphite, or black lead, and also mica of the best quality, and the largest sheets known to commerce. Assays of pyrites and quartz from several sections of the shore have yielded traces of gold, under such geological conditions as encourage the hope that the precious metal will yet be found in paying quantity. Gold-bearing quartz is frequently obtained by prospectors, gold-bearing pyrites is general, and alluvial gold has also been found in the valleys. Gypsum, copper, silver and antimony are abundantly indicated in many places. Anthracite has been located in the Labrador peninsula. Lignite occurs about James Bay. Bituminous coal is known to be abundant in the Parry Islands, north of the Strait, and is burnt by the whalers. Other metallic ores and a variety of ornamental stones have been discovered in different parts, while marble, granite, limestone, whinstone and kindred building stones abound on the shores of the Bay, and may acquire a commercial value at some future time.

Nor is its wealth of woodland less varied or valuable. The forests extend two-thirds of the distance up either shore of the basin, and further north in the interior on both sides. It is claimed that, around James Bay alone, there is more timber than in Minnesota and Michigan together. The verge of the tree-clad area crosses the northern part of the Labrador peninsula and follows the isothermal lines westward across the continent. The lumber is mostly large spruce and tamarack, and the areas available for the manufacture of pulp are immense. The snowfall is but half that at Montreal, the region being so sheltered inland, and the water-powers are beyond calculation along the chain of lakes and rivers that lead to the Bay. It is, moreover, asserted that, from Great Slave Lake to Fort Churchill, there is but one short gap in a continuous system of capacious waterways. In 1828, Sir George Simpson made his way in canoes, accompanied by a considerable party of men and supplies, from York Factory

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on Hudson Bay to the Pacific coast at the mouth of the Fraser River. The Hudson Bay slope itself is a "clay belt" containing 16,000,000 acres of agricultural land, besides well-timbered sections, all seamed with water-courses which will enable the products to be floated down to the seaboard at a minimum of cost.

The climate of this vast hinterland is another decisive consideration. It compares very favorably with that of the more Western territories where wheat-growing is now general. The northern section is in about the same latitude as the Highlands of Scotland; Moose Factory, further south than that of London. The temperature of the water in Hudson Bay is several degrees higher than that in Lake Superior, and Lieutenant Gordon declared that the Bay might be regarded as a vast basin of comparatively warm water, a fact which must help to mitigate the severity of the winter in the surrounding region. Certainly, the Bay never freezes over; its area is so great and the temperature so genial, that it is open all the year round, while it is also remarkably free from storms and fogs. Its waters are deep and uniform, soundings of 480 feet at many points indicating that its bed is a level plateau, with a few islands to the northward, and only two reefs, lying near one of these islands, to endanger the eastward passage of ocean steamers.

It will probably amaze American readers to learn that the Dominion Government has already granted charters to no less than eight different railroad companies to build lines to Hudson Bay, than which fact there could be no better attestation of the confidence of Canadian capitalists in the ultimate destiny of the northland. The southern section of one of these lines—the shortest between Lake Superior and Hudson Bay—runs through a rich mineral tract that should furnish an immense amount of traffic, seeing that eight copper mines on one shore of that lake have in ten years paid dividends of $75,000,000. These railway lines are projected from the provinces of Quebec, Ontario and Manitoba, and some of them have already started building into the new wheat regions now being developed, proposing to extend their rails gradually northward as traffic warrants.

The real economic problem, then, is not the building of railways, nor the traversing of the Bay itself, but the navigating of the Strait which forms its entrance. This waterway, because of its contracted channel, its northern location, and the arctic afflu-

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ents which discharge vast bodies of floe ice into it every autumn and spring, is only navigable for some months in each year. Lieutenant Gordon, in charge of the "Alert" expedition in 1884, reported the opening of the season to be between July 1st and 10th, and the close to be about the same dates in October—a period of three months. Captain Barry, the more experienced Newfoundland ice-pilot, who was master of the ship, declared, however, that he could navigate it for six weeks longer. In the same way, Commander Wakeham, the chief of the "Diana" expedition in 1897, fixed the opening of the season at the end of June and the close at the 20th of October, or nearly four months, whereas Captain Joy, the ice-pilot and skipper this time, agrees with Barry as to a four and a half months' season. The "Neptune" has as master Captain Bartlett, who served Peary in five arctic voyages in the same capacity, so his view of the matter will be awaited with keen interest. These Newfoundland skippers, bred from youth to ice conditions, declare that they would sooner navigate Hudson Strait than Belle Isle Strait (the present route between Montreal and Liverpool), because in the former region there is daylight for the whole twenty-four hours until October, the water is bold along the coast, fogs are not experienced, and the bergs from Greenland have mostly passed south before the Strait is open. Statistics of the Hudson Bay Company show that 750 vessels, from 70-gun ships down to 10-ton pinnaces, passed through the Strait during 274 years, and only two were lost there, although all were sailers and most of them small and rudely constructed.

It is argued, therefore, that, with the progress ship-building has made of late, the stanchness and high power of modern iron steamers, the improved accessories of navigation to-day, and the provision of efficient coast-aids, there is no reason why the passage of Hudson Strait should not be as safely effected as that of the Baltic.

The limitations of the route are, that it calls for ships of not more than 3,000 tons, specially strengthened to withstand the contact of the floes, and that skilful and experienced ice-pilots should be carried on them. The coast-line of the Strait requires to be carefully surveyed and the movements of the tidal currents determined. Lighthouse, fog-alarm, telegraph and signalling systems must be instituted, and such adjuncts of modern mari-

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time progress as coaling and repairing ports, docks, foundries and the like, provided. Its advantages are, the short rail-haul and sea voyage, and the fact that perishable products conveyed by this cold northern channel would escape the deterioration inevitable in forwarding by a more southern route. By it cattle from the western ranges, and butter, cheese, vegetables and fruits from nearer farmsteads, could be conveyed to England, during the summer, and at least a portion of the grain crop. Within ten years almost, the grain exports of Canada have increased so that the Canadian Pacific Railway is unable to bring them to the sea. Another decade, in view of the rapidity with which her prairies are filling up, may witness a similar congestion on the Northern Transcontinental Railway. Then the Hudson Bay route would prove its utility in relieving this, and opening up a new outlet for the abounding traffic of the northland during the summer months. Everything nowadays points to Canada becoming one of the largest grain-producing countries in the world, within a comparatively short period of years, and as it expands northward and its population increases its demands for traffic facilities will be accelerated amazingly.

Imperial considerations, too, are largely shaping this new policy of turning Hudson Bay into an inland lake, and re-annexing all the surrounding country to the confines of the Arctic Circle. There is alarm over the possible withdrawal of the bonding privilege by the United States, and a desire to become independent of it. There is a belief that a second transcontinental railway line further removed from the international boundary than the Canadian Pacific Railway, means an augmentation of Britain's safeguards. There is a readiness to provide the means whereby Britain may procure foodstuffs and stores from her overseas granary, and despatch men and munitions to the Far East or threatened points nearer home. Above all, there is the sentiment of Canada, flushed with the strength of a young giant, that she has attained national stature, and should fashion her schemes for the development of her imperial heritage on lines commensurate with the future for which she seems destined. Lord Strathcona, who is President of the Hudson Bay Company, declared recently that within ten years Canada would be able to supply all the foodstuffs of the United Kingdom, and only now is American opinion awakening to an appreciation of the varied natural re-

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sources of British North America in grain, grazing, mineral and wood lands, and the wealth of the seas that wash its shores. The development of the country must inevitably be large, and it is probable that all estimates hazarded now of the population a decade hence, and of the value of its exports, will be much below the actual figures that the next census will disclose.

The strategic conditions favoring the route are, the gain in time which it would effect in moving troops, and the part it would play as a secondary base for England in time of war. With an enemy's cruisers blocking the St. Lawrence, Canada would be impotent for defence, had she not another ocean highway affording access to and from the Mother Country. A patrol at the mouth of the Strait would close it to alien shipping, and British transports or freighters could be escorted in or out under convoy. By the several railroads now projected to the Bay from different parts of Canada, troops could be distributed to important centres expeditiously and economically, or assembled at this convenient base for conveyance elsewhere. Indeed, the scheme in its general details has much to commend it, and will undoubtedly be proceeded with if the "Neptune's" report is favorable. The more immediate endeavor, though, will be how to avoid a second Alaskan Boundary dispute in this territory, which is threatened by Canada's reaffirming her sovereignty and expelling American whalers. Whether no untoward result will ensue or whether another cause of quarrel between Uncle Sam and John Bull will be created, remains to be seen; but, in any event, Hudson Bay is destined soon to become a more prominent factor in the commercial and political relations of Canada and the United States than it has hitherto been.

P. T. McGrath.

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THE REPRESENTATIVE INEQUALITY OF SENATORS.

BY SYLVESTER BAXTER.

A FUNDAMENTAL principle in our national government is the parity of the States of the Union, as expressed by their representation in the Senate. It is worth while to examine, in the light of the facts as to population exhibited by the Twelfth Census, to what extent this may have effected a disparity in citizenship—an equality of all men behind the law, as well as before it, being an indispensable condition of true democracy.

The essence of a State is the community for which it stands, not the territory which the community occupies. Properly, a State's size is not expressed by the area over which it is spread, but by its population. The accompanying table, showing in the population the true size of the various States of the American Union, therefore, makes a significant presentation:

SIZE OF STATES BY POPULATION.

New York	7,268,894	South Carolina	1,340,316
Pennsylvania	6,302,115	Arkansas	1,311,564
Illinois	4,821,550	Maryland	1,188,044
Ohio	4,157,545	Nebraska	1,066,300
Missouri	3,106,665	West Virginia	958,800
Texas	3,048,710	Connecticut	908,420
Massachusetts	2,805,346	Maine	694,466
Indiana	2,516,462	Colorado	539,700
Michigan	2,420,982	Florida	528,542
Iowa	2,231,853	Washington	518,103
Georgia	2,216,331	Rhode Island	428,556
Kentucky	2,147,174	Oregon	413,536
Wisconsin	2,069,042	New Hampshire	411,588
Tennessee	2,026,616	South Dakota	401,570
North Carolina	1,893,810	Vermont	343,641
New Jersey	1,883,669	North Dakota	319,146
Virginia	1,854,184	Utah	276,749
Alabama	1,828,697	Montana	243,329
Minnesota	1,751,394	Delaware	184,735
Mississippi	1,551,270	Idaho	161,772
California	1,485,053	Wyoming	92,531
Kansas	1,470,495	Nevada	42,335
Louisiana	1,381,625		

After the four largest States, New York, Pennsylvania, Illinois and Ohio—all well past the four-million figure—stands Missouri,

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with something more than three million. States that are within 250,000 of each other may be regarded as substantially on an equal footing. Regarded in this way, we see Missouri and Texas standing together. The State east of the Alleghenies that is not infrequently called "little" Massachusetts, stands well ahead of "pivotal" Indiana; and, since the rate of growth of the former is nearly twice that of the latter, the roomier State gives no promise of overtaking the other so long as present tendencies obtain. Even stupendous Texas is yet in practically the same class as Massachusetts, which it surpasses by less than 250,000. There are ten States smaller in population than diminutive Rhode Island.

The disparity among the States may be illustrated by comparing the two that represent the greatest extremes in this respect—New York and Nevada. New York has a population of 7,268,894; Nevada has 42,335. Therefore, one resident in Nevada is privileged with a representation in the national Senate equal in effectiveness to that of more than 171 residents of New York. Let us imagine the two Senators from New York and the two Senators from Nevada voting on opposite sides of a question—perhaps some question of vital importance—as they frequently may do. In the exercise of this function, they might graphically be depicted as sitting at opposite ends of a balanced plank, like boys in a game of see-saw. If the plank were so pivoted as to express the relative size of the two States in population, the New York side would be more than 171 times as long as the Nevada side. So, allowing only a length of one inch to Nevada, the New York portion would have a length of more than 14¼ feet. Tiptoeing upon their scanty foothold, Senators Stewart and Newlands would keep their end perfectly level against the weight of Senators Platt and Depew, exerted more than 14 feet away on the other side. Let us regard the two New York Senators as men of normal weight—say 165 pounds. In order to balance themselves against such a leverage the Nevada Senators would each have to weigh as much as 28,215 pounds!

The total population of the United States, according to the Twelfth Census, is 76,305,387. The population of the 45 States is 74,181,336. New York has nearly ten per cent. of this figure, Pennsylvania about 8½ per cent., Illinois about 6½ per cent., Ohio about 5½ per cent., Missouri about 4½, and Massachusetts over 3½ per cent. These six States have altogether about 38½

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per cent. of the total population of the States. But their combined voting strength in the Senate is only 12 out of 90.

On the other hand Nevada has about one-seventeenth of one per cent. of the population of the States, Wyoming about one-eighth of one per cent., and Idaho a little more than one-fourth of one per cent. The nine States grouped in the census returns as the Western Division, comprising those that extend from the Rocky Mountains to the Pacific, have a total population of 3,773,-108, or about one-twentieth of the whole. Yet they have a representation of 18 in the Senate, or one-fifth—a representation equal to that of the nine North-Atlantic States with their population of 21,046,695, or nearly 30 per cent. of the whole. The 18 States west of the Mississippi, including Minnesota, have a population of 18,480,805; the 27 States east of the Mississippi, including Louisiana, have a population of 57,700,531. This gives 36 Senators to about one-quarter of the total population of the States and 54 Senators to three-quarters. There are fifteen States each of which has less than one per cent. of the total population. The combined population of these fifteen States is 5,256,512. These States, therefore, with less than one-fourteenth of the population of all the States, are represented by one-third of the Senate.

It is difficult to see how fair-minded and sanely thinking persons can reconcile this great disparity among the States with any conception of political equity, such as should obtain among a free and self-governing people. This disparity has increased greatly in recent years, and it is certain to increase still further.

Ever since the erection of West Virginia and Nevada into independent States, considerations of political expediency have mainly governed the creation of new entities in the Federal Union. These policies have occasionally proved very short-sighted, as steps actuated by such considerations are likely to be, and have reacted upon the party responsible for them—as in the Populistic wave that swept into opposition the entire batch of the most recently created States. These political considerations, however, were reinforced by a sort of perverted altruism—the kind that yields to the desires of another, regardless not only of the interests of the giver, but of the whole, in which both giver and receiver alike constitute a part; the sentiment that induces parents to give to children what they want, not so much for the sake of pleasing them as to get rid of an uncomfortable clamor. Hence, a weak

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sense of fairness, a desire to help along a young and growing section of the country, and a patriotic impulse to add another star to the flag, have fed, regardless of party, a sentiment in favor of every proposed step of this kind. Fewer stars in the flag, however, would not have meant any less population in the country. But it would have meant fewer multi-millionaires in the Senate-chamber, fewer purchased Legislatures, less wholesale corruption as a tradition in the establishment and maintenance of a State's relation to the National Government, and in the councils of the most powerful arm of the government a slighter preponderance of the influences proceeding from such sources.

A strong motive in the erection of new States has been the sentiment that no considerable part of the population should be without a voice in the conduct of national affairs. Undesirable as such a lack of representation might be, it is far more undesirable that those elements should be appeased by according them a tremendous over-representation. In establishing these new relations of Statehood, contrary to the normal policy in such concerns, an immense premium has thus been put upon immaturity and inexperience in government. Raw young communities, grown out of yesterdays, have not only been given equal seats in the councils of the nation beside historic commonwealths, rich in the greatest traditions of modern democracy; the newcomers at the board have been clothed with powers that multiply many fold their normal strength.

This need not have been. Due representation of the younger communities might have been accorded without intrusting them with a control of affairs similar to that which would prevail in a business house should the clerks, after a sufficient probationary service, be admitted to partnership under conditions that straightway gave them a voice superior to that exerted by the original associates. For example, the entire section from the Rocky Mountains to the Pacific, comprised in the "Western Division" of the Census returns, might in all equity have been made one State—perhaps constituted with various territorial subdivisions corresponding, say, to the States and Territories that now exist. These subdivisions might have had the same relation to the State government that the organized Territories have to the National Government. And it might have been provided, in a manner similar to that of the reserved right possessed by Texas, that when any of

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these subdivisions attained a population that would confer a normal Statehood—a population, say, of one million—it should have the right to resolve itself into a full-fledged member of the Union. California is the only State in the entire group that has surpassed that figure; not one of the others has even approached it. And the population of the entire group of nine States and two Territories is less than that of Ohio.

Repeated opportunities have been presented for remedying the evil, at least in a considerable degree, along such lines. For instance, it was proposed to join Utah to Nevada instead of erecting it as an independent State, just as lately it has been proposed to admit Oklahoma and consolidate the Indian Territory with it. But presumptive political expediency and undue deference to local desires, together with sectional insistence upon exalting an already inordinate preponderance, will doubtless take care to see that the Indian Territory becomes a separate State, just as these influences have secured the multiplication of as many small States as possible in that part of the country.

The whole policy of the admission of new States has gradually, and almost unconsciously, shaped itself. The first were admitted under conditions similar to those that governed the union of the original thirteen, when large States and small practically balanced each other. Without the parity of the States agreed upon at the outset, the Union would have been impracticable. But could the tremendous disparity in population, and consequently in equitable representation, that was to come with the erection of new States, have been foreseen by the framers of the Constitution, they would naturally have taken alarm, and probably would have instituted some more equitable procedure.

It is profitless, however, to consider what might have been, save in so far as it may serve to guide us as to what ought hereafter to be. Beyond the status of the territorially organized remainders of the Far West, now almost as good as settled, there loom up the more distant problems of potential new States in sub-Arctic and Arctic Alaska, in West-Indian dependencies, in Polynesian Hawaii—already an organized Territory—perhaps even Tutuila and Guam, not to mention the Philippines. All these are possibilities of a future that perhaps lies not so very remote, and which, under the pressure of this or that political expediency, may become actualities. Then there is no telling when sectional considera-

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tions, or a party emergency, may rise superior to State pride and cause Texas to take advantage of her reserved rights and resolve herself into four States. As to Cuba, but for the foolish sentimentality of the Teller resolution, that island might now have been as prosperous and as untroublesome as Porto Rico. But, thanks to that piece of legislative emotionalism, when Cuba does come in, it must be upon her own terms, doubtless just as Texas came, a free and sovereign State, perhaps also with reserved rights that may include potential subdivision into other States.

Together with the development of these disparities in population and representation, there may incidentally have been some little compensating good. Some of the new commonwealths are formulating new polities; shaping their courses according to new conditions determined by growth in virgin soil, just as the old ones did when blazing the way for modern democracy. Hence, these novices in the Union are, to no little extent, serving as experiment stations and training-grounds for the newer democracy in relation to the rest of the country—just as Australia and New Zealand are acting for the world at large, likewise because their ground is unencumbered by precedent and tradition. Possibly some of the worst of these disparities may eventually disappear, or at least be very greatly diminished, with the growth of population in favorably situated parts of the new States—as under the conditions of intensive cultivation, and consequent density of population, that will be likely to come about in the arid regions where artificial irrigation is developed.

However this may turn out to be in a remote future, at present the resultant conditions are most inequitable, and for a long time to come must continue so. They give baleful significance to the fact that the Senate is the most powerful arm of the government, for its power may readily be exerted to impose the will of a minority upon the majority. A study of the votes cast in the Senate, particularly upon important questions, might reveal that this has occurred much oftener than is commonly suspected. The recent beet-sugar iniquity indicates that even an overwhelming public sentiment has little weight against the wilful exertion of this power in behalf of a comparatively insignificant selfish interest.

It is easy enough to point out the evil and to indicate its sources. It is not so easy to suggest the remedy. And the application of a

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remedy would be a task of appalling difficulty. If the absolute separation of the executive and the legislative functions of the government could be assured, so far as the exercise of one power by those who are intrusted with the other is concerned, the evil would be much less. The equality of representation in the popular branch of the Congress might then largely offset the inequality that prevails in the other House. But the Senate achieves its inordinate power mainly by the fact that, in its practical control of appointments to office, it becomes part of the executive as well as of the legislative branch of the government. In the ambassadors of the sovereign States at the national capital, as the Senators have been called, we therefore have 90 Assistant-Presidents, discharging executive functions with the inefficiency in results that invariably attends a divided responsibility.

It would probably be easy to devise an efficient system under which the desired check upon Presidential appointments might exist, while avoiding the present blending of executive and legislative functions. For instance, the scrutiny of appointments, with a view to confirmation or rejection according to merit or demerit, together with a like check upon the power of removal, might well have been intrusted to a disinterested body permanently constituted as a feature of the judiciary branch. Such a function is in its nature judicial; hence, the judiciary seems the proper branch of the government to exercise it. The spoils system might thus be absolutely eliminated from our politics. In that event, the office of Senator would cease to stand for inordinate personal power, would cease to imply the overlordship in a State, and would gain in true dignity by limitation to its rightful function.

It is, however, hardly thinkable that the Senators would consent to the abatement of any jot or tittle of their existing powers and privileges. Neither would the minor States consent to any amendment of the Constitution that would diminish their relative weight as members of the Union. The public must, therefore, bear as best it may the consequences of inequalities imposed by a dead past with reference to conditions either long since outgrown, or grown into aspects of evil then wholly unsuspected. But, should oppression from this source become intolerable, some way will surely be found to be rid of it.

SYLVESTER BAXTER.

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THE BRITISH MONARCHY: A REPLY.

BY DEFENSOR.

THE advantages of satire are the nervous stimulus which it gives to the person attacked, and the pleasure which it affords to the neighbors of that person. No doubt, the sweeping denunciation of English institutions which appeared under the title of "An Indictment of the British Monarchy" gave an agreeable titillation to several readers in England, and was exquisitely appreciated in many a sturdy homestead in America. But satire, stimulating as it may be, has plain disadvantages; and one of these is its tendency to be "off the spot" when it descends to details. It is most effective when it is vaguest, when the horrid shades are laid in without drawing, with a bold, free brush. "Anglo-American" sets forth to make our flesh creep, but he draws a portrait of us which no one within sight of us can recognize.

No doubt, we have our faults and our misfortunes; but some one who knows more about us and the condition of the world than "Anglo-American" should tell us of them. "Russia," we read, "faces the future with a fervid, patient, almost mystical faith"; "Anglo-American" can know little of the internal condition of Russia. "To America," at the present moment, "the whole prospect, as usual, is rainbow-hued." Our censor goes over the countries of the world, and paints them all in optimistic radiance. England, alone, is not spared the privilege of his mild reproof. A sort of millennium has set in all over the earth, except in the British Empire, where nothing reigns but "a spirit of depression and foreboding," and where we are delivered up at all points to "an almost hysterical pessimism," Somebody seems, indeed, to be not a little pessimistic and thoroughly hysterical, but who is it? Our critic is really too angry to be consistent; for, after

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asserting our inferiority to all the European governments, he permits himself to say that we are seeing our "Parliament slipping down almost to the Continental level of incapacity." It is difficult to comprehend how one slips down to a condition which is already high above one's reach.

It would be unfair, however, to examine too minutely a sensational diatribe which is, doubtless, only intended to awaken a little amazement and make foreign groundlings gape. But a few of the fallacies in "Anglo-American's" article are worth exposure.

The British Empire has accepted the principle of monarchy. Our critic is obliged to admit that it has accepted it with extraordinary unanimity. He says that "republicanism in England is to-day simply non-existent. He has observed that all classes, however widely divided, that all provinces, however remote from one another, are united in estimating the Monarchy more highly than at any previous moment in our history. "The Crown, to-day, finds an unchallenged acceptation," he adds. Does it not strike him as a little futile to denounce to us the horrors of a system which so many millions of diverse human beings agree to think beneficent? After all, it is the mass of British millions, and not an individual, who are called on to decide the matter. How sad if it should turn out that it is precisely the fortunate strength of our vast unanimity that upsets the temper of our critic!

The writer of the article lays very great stress on the powerlessness of the Monarch to interfere in public affairs. He exaggerates this excessively, and he betrays a curious want of historical knowledge on the subject. Throughout the latter part of the nineteenth century, it is true, the British Monarch displayed a fine sense of tact, an almost faultless decorum in her attitude to affairs. But when "Anglo-American" tells us that an English king is such an automaton that he is incapable of disturbing the political situation, we are at a loss to follow his meaning. It is only necessary to point to George IV.'s successful intriguing about the Catholic question in 1827, and to the results of an *extempore* speech of William IV. in 1834, to show how great the power for mischief is which the Crown possesses under our Constitution, a power which nothing but the wisdom and statesmanship of the Monarch keeps in abeyance.

Instances of the reverse condition—namely, that in which the personal influence of the sovereign is exercised in moments of

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political strain, with the direct result of relieving the strain—have been far more common. It is strange that any one should be unaware of the numerous occasions on which the experience and practical wisdom of Queen Victoria were exercised in this way. By the working of the British Constitution, in the course of an extended reign, the Monarch is presently left with an experience of affairs and a knowledge of men which are unrivalled. The Monarch, alone in the state, has the advantage of being in constant touch, both officially and socially, with political leaders on both sides. The late Queen was amply provided with friends in either political party; and, as time went on, and as all the groups were transformed by the natural evolution of things, she grew to be a portent of precedent, to whose memory and discipline of mind every one who could appeal was fortunate. She had gained this ascendency by the happy accident of her immovable position, and by the astuteness with which she had so long held herself, above both parties, yet in sympathy with both.

When, therefore, we are told that the influence of the Monarchy is purely a negative one, and that the sovereign should never, and can never, appear outside "a zone of calm," we, who remember the events of the last reign, can but smile at this image of a monarch, motionless like a painted statue, led through our political life in the hieratic attitude of a god in a chariot.

Those of us who have approached, in any degree, the inner machinery of Empire, know what an activity the position demands, how strenuously, to use a familiar expression, the nose of the exalted personage has to be held to the grindstone. It was not until advanced years that Queen Victoria ceased to take a practical part in all branches of public work. Those Civil Servants who have reached middle life have a memory of her brief and thoughtful minutes on the documents which passed through her hands. These minutes she had ceased to write on general papers by 1880, but she continued to the last to give a punctual and effective attention to public business. Indeed, it is said that it was not until the Thursday before she died that she permitted herself to relax. On that night, for the first time, the despatch-boxes were not outside her door, and those about her recognized the fatality of the sign.

If illustrations are called for of the value of the personal authority of the sovereign, they are not difficult to give. It must be

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remembered that the secret political history of Queen Victoria's reign is not yet written, and that, until its particulars are made public, the main instances of her interference in state business must continue unknown. But already much has transpired. When, in the early part of 1864, war broke out between Germany and Denmark, England was within an ace of taking up the cause of the latter. Public sentiment was generously moved; the Danish royal family were popular in the country and at Court; Lord Palmerston and Lord John Russell were unquestionably in favor of a declaration of war with Germany. It is difficult to imagine what the present state of Europe would be if these counsels had prevailed. It was mainly the Queen who, with the help of Lord Granville, put the entire weight of her prestige into the other scale, and insisted that the principle of neutrality should be maintained. Nor will Americans easily forget that it was her modification, made with her own pen, in the English Government's despatch on the Mason and Slidell business, which removed all danger of war between us and the Northern States.

It would be of little use to multiply examples of the direct and powerful exercise of influence of which the Monarchy is still capable in internal affairs. But Mr. Bryce has recently, in his "Biographical Studies," drawn attention to a case, not generally known, which has particular interest. When the Irish Church Disestablishment Bill of 1869 was being hung up by the inveterate prejudice of a section of the Opposition, it was the Queen herself who suggested to Archbishop Tait a plan of compromise between Mr. Gladstone's government and those Tory peers who were pertinaciously opposing the Bill. The Primate accepted her commission, and he conducted his compromise on the lines she suggested with such success that the Bill passed the House of Lords, while good terms were secured, nevertheless, for the Irish Bishops. In this case, it is to be remembered that the personal sentiment of the Queen was opposed to Irish disestablishment, and that her action in obtaining the adoption of the Bill in June, 1869, was, therefore, the more purely public-spirited. The occasions on which she used her influence to prevent outbreaks of war on the Continent were frequent. It was her personal and private action which averted hostilities between France and Germany in 1875, and delayed them between Russia and Turkey in 1876. It would be interesting to know what individual in the best-regu-

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lated republic in the universe has been able to make his hand felt, in this way, in calming and repressing the armies of the world.

On the advantages which are gained by royal visits abroad, in the consolidation of friendly international relations, our critic is strangely silent. He speaks with great freedom of the home occupations with which the King is credited by the newspapers, but he is absolutely dumb as to the King's journeys abroad. He tells us that "the Monarchy works to the detriment of England," and insists that the King "has been carefully unfitted" for duties of a positive kind. It is difficult to understand either the position of the critic, or the precise grounds of his indignation. He appears to float between two opinions. He tells us that the King can do nothing, and this shocks his soul. But yet he tells us that the King does a great deal, and this shocks him even more. It would be interesting to know whether "Anglo-American" considers the diplomatic visits of the King to Lisbon, Rome and Paris as examples of the former or of the latter class? He declares, roundly, that the King "is the master of no trade." Yet we have seen him, within the last few months, perform miracles in the extremely delicate and elaborate trade of diplomacy.

We suppose that it will hardly be denied that the relations of this country with its most intelligent and sensitive neighbor are of importance to our welfare. The attitude of France to England is of the highest importance, not only to our trade and financial welfare, but to those intellectual and sentimental parts of our being which it is a fatal piece of Podsnapery to neglect. We do not live on bread alone; we need also the light of the sun and the liberty of the air. It is the just boast of the French that their civilization radiates the one and is broadly exposed to the other. The Anglo-Saxon peoples have obtained the privilege of political liberty; they have still much to gain in the matter of spiritual liberty. The light that dissolves intellectual prejudice and disseminates the mental radiance in which thought can spread and blossom in tranquillity, is not so widely directed over England and America but that in France it beams with a more ample lustre. It would be a calamity for all that is brightest and most generous in English thought if a barrier should divide us from the mellow sympathy of France.

Such a barrier was raised, during the last years of the nineteenth century, by a succession of events which it is not necessary

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here to recapitulate. It is the fact, at any rate, that a growing lack of sympathy, not yet amounting to enmity, but tending steadily and fatally in that direction, had risen, like a threatening shadow, between the two nations. It was of the nature of most vague animosities, whether public or private; it was based on a misunderstanding, on a growing inability in each to determine the real sentiments of the other. Only one person was capable of removing this barrier, by showing its perfectly phantasmal and cloudy character. That one person was the King, who, with great magnanimity and at very considerable personal risk (for no one knew the attitude of the French public beforehand), determined upon a stroke of high personal diplomacy. He stood on no ceremony; he took the courteous initiative; and he paid the French Republic the charming compliment of expressing his readiness to accept its hospitality.

The result was, perhaps, the most important to England which the new century has seen. The instinct of the King proved to have been exquisitely right. France was touched in its most delicate fibre, and the menacing cloud which had so long been gathering between the two nations melted as if by magic. England and France, to the general benefit of civilization, have entered into a new phase of mutual amity, which cannot but be immensely to the benefit of both. It is remarkable, we must repeat, that in his diatribe against the King's person,—for he does not confine himself to the vague principle of Monarchy,—"Anglo-American" should have omitted the slightest allusion to this eminently successful piece of diplomacy.

Critics of the class of "Anglo-American" write as if intelligent Englishmen still clung to the seventeenth-century theory of the divine right of kings. They talk as if we were still under the domination of such flatulent and obscurantist doctrines as inspired the once famous "Patriarcha" of Sir Robert Filmer. The pretentions which were put forward by the inordinate vanity of the Stuarts far more closely resemble those advanced by the Kaiser,—in whom our critic sees nothing less than a hero riding "on the crest of the rising wave,"—than those of any rational partisan of the Monarchy in England during the last two hundred years. It is absurd to pretend that anything in the existing authority of the sovereign tends, even remotely, to a paralysis of government. That assumption of lucrative feudal privileges,

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which the Stuarts so obstinately put forward, led, as it could but inevitably lead, to their destruction. In the course of two centuries, the King, from being a great extortionate landlord, was transformed by slow gradations into the principal paid servant of the state. At the present moment, for all practical purposes, the British sovereign is the head of the national Public Service; he is at the summit of the great hierarchy of those who are employed in the work of the state. He is no longer the tyrant; he is simply the honorary manager of our enormous national concern.

It is plainly a matter for those who are practically engaged in the business, those—in other words—who pay, to decide whether the salary of the King (to put it roughly) is earned or no. If those who employ him in his great and responsible office are satisfied, such censure as that of "Anglo-American" is not worth the paper upon which it is inscribed. If "Anglo-American" could point to any great section of English citizens who are dissatisfied with the conduct of the Monarchy; if he could give voice to a considerable minority of malcontents; if he could diagnose, in persuasive language, grave disadvantages in our system, and could hope to wake an echo of his dissatisfaction in a large number of English bosoms, there might be some value in his criticisms. But he writes of what commends itself to an enormous majority of those most intimately and personally interested.

The writer bases his "indictment" on the general "depression and foreboding" which he discovers in all classes of English society. Every section of our national life, if we are to believe this observer, is complaining and discouraged. He "hardly knows which to pity more," Royalty, which is the cause of this condition of distress, or the Empire, which is so obstinately blind to the fact that it is to the institution of the Monarchy that she owes her bankrupt condition. The only reply to balderdash so preposterous seems to be a direct negative. There is no reason to suppose that the worst discomforts of the Empire at this moment are in any sense excessive or abnormal. There is no sign anywhere of such "depression and foreboding" as "Anglo-American" evolves out of his inner consciousness. And where our symptoms as a nation may be not wholly favorable, where we are ready to deplore this or that distressing or even dangerous tendency, there is not the smallest evidence that the Monarchy is in any way responsible for or encourages it.

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The idea that England is rapidly declining in prosperity is one which is not borne out by statistics or by social phenomena, by facts or by figures. What is the case is this. We had gone through a long and expensive war, the temporary drain of which is just being felt. No experience is more common than that a man is conscious of the strain of an irregular expense, not during the proceedings which have led to it, but afterwards, when the bill comes in. We are paying our South-African bill, and here and there we grumble. Moreover, there is at this moment a general weakness in finance, which discourages speculation and casts a gloom across the Stock Exchange. But will any one pretend that there is the slightest evidence that this is not temporary, or that it does not affect a far wider zone of markets than are commanded from London? Has this been a very prosperous financial autumn in the Wall Street of "rainbow-hued" America? Is everything rose-colored on the Bourse of St. Petersburg? In our case, no doubt, the raising of the great fiscal question, which is exciting universal discussion, cannot fail to have an agitating effect upon business. Whether the change Mr. Chamberlain proposes is wise or unwise, the mere consideration of it has the momentary effect of disturbing all our commercial arrangements. But from this it is a far cry to a black foreboding of bankruptcy.

Few things are more futile than to prognosticate the ultimate ruin of a country on the basis of a few provisional symptoms of insecurity. A nation is not lost because even serious misfortunes befall it. The very worst that the British Empire has lately undergone, magnified by hostile exaggeration to the extreme of importance, is but a pin-prick by the side of the fate which seemed to have overwhelmed France in 1871. Then it was excusable for pessimists to declare that Germany had broken her antagonist's back, that France had sunken never to rise again. Who, at that date, could have dared to prophesy the prosperity of France in 1903? Predictions founded on sentimental impressions of a few months of crisis are inevitably false. History moves in curves too vast, the elements of national life are too numerous and complicated, to be measured in this rapid way. Has "Anglo-American" ever heard how, as Cowper says:

> "The inestimable Estimate of Brown
> Rose like a paper kite, and charmed the town;
> But measures planned and executed well

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Shifted the wind that raised it, and it fell.
He trod the very selfsame ground you tread,
And Victory refuted all he said.
And yet his judgment was not framed amiss;
His error, if he erred, was merely this:—
He thought the dying hour already come,
And a complete recovery struck him dumb?"

John Brown was a clergyman, who, in the dark year 1757, wrote a most ingenious book, called "An Estimate of the Manners and Principles of the Times"; in which he proved England to be on the brink of ruin, and her hopeless condition to be due to the spread of tyranny, irreligion and licentiousness. Everybody was excessively alarmed; seven editions of the "Estimate" were sold to the terrified public in one year; and it was generally admitted that England was going to the dogs, when, most unfortunately for Brown's reputation as a prophet, Plassey immediately followed, and England swam up into a new era of prosperity. If our state were as parlous in 1903 as it was in 1757,—and it is ridiculous to imagine that it is,—a turn of fortune might in six months strike dumb the prophets of our national ruin. And if the Monarchy is to be quoted as the source of our decline, it will be only fair to attribute to it our revival also.

Our censor is deeply grieved at what he considers to be the apathy of the King with regard to questions of education. He accuses the Monarchy of being "responsible for perhaps half of the commercial inefficiency and unprogressiveness of England." The method of this kind of criticism seems to be, to dwell on whatever the critic does not approve of in the English social system, greatly to exaggerate its blackness, and to end up by saying that the King is responsible for "perhaps half" of it. It would be waste of time to combat opinions so jejune. But if "Anglo-American" will take the trouble to inquire, he will discover that, unfortunately, in this country education is so mixed up with religious squabbles that, in its present phase, it has become a sort of party matter, in which it would be unconstitutional for the Crown to interfere. We are ready to admit that education is one of our painful difficulties at this moment, and a question in which we are not likely to come to a definite and wholesome issue without some disagreeable struggles. But, so far from blaming the King for the illogical position into which circumstances have, for

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the moment, forced us, we are thankful that he has not in any degree accentuated the differences between our educational groups. On the other hand, is it already forgotten how much his father did for the cause of technical and scientific education after 1848, or how much sensation was caused by his son's "Wake up!" speech, a direct plea for efficiency in all branches of teaching, delivered immediately after his return from his Colonial tour? In the face of these facts and of so much more that could be brought forward, the statement of "Anglo-American" that "the Monarchy militates against national efficiency" in educational matters is one which may be dismissed as groundless.

One charge which the indictment brings against us, however, is unfortunately not to be passed over so lightly as the rest. This is the degree in which the national time is wasted upon exercises which are of the nature of mere pleasure. Oddly enough, this is precisely the section across which "Anglo-American" hurries most rapidly. He mentions our inordinate fondness for every species of game and sport, and, of course, he asserts that the King is responsible for it; but he does not, as he justly might, show how heavily the excess of attention given to cricket and football reduces the opportunity of acquiring efficiency. His reason for the omission was, perhaps, that "rainbow-hued" America is not less devoted than England is to those physical exercises which, in moderation, are such an excellent medicine, and in excess such a sterilizing and wasting drug. He could not blame us without blaming those whom he wished most to flatter. We are, therefore, spared attack at the one point where, perhaps, we are at this moment more open to attack than any other. Instead of recognizing that relaxation is the reverse of work, that it is a wise mode of recruiting the forces for the business of life, our modern tendency is to make it the foremost thing, the business itself. And there can be no efficiency when we see, in Sterne's phrase, "all the world running at the ring of pleasure."

The British Empire has deliberately and unanimously determined on the retention of the monarchical system, and the ingenuity of adverse critics had better be diverted into more useful channels than that of trying to persuade us that we are on the brink of ruin, and that the Monarchy has brought us there.

DEFENSOR.

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THE REPUBLIC OF PANAMA.

BY EUSEBIO A. MORALES, MINISTER OF STATE IN THE PROVISIONAL GOVERNMENT OF THE REPUBLIC OF PANAMA.

THE territory comprised in the Isthmus of Panama formed a part of the Spanish Colonies in South America up to the 28th day of November, 1821. On that day, the inhabitants proclaimed their independence, and, by a spontaneous act of their own, they were incorporated in the then powerful Republic of Colombia, embracing, as it did, in its vast dominions the whole extent of territory that the Crown of Spain had designated under the appellatives of Viceroyalty of New Granada, Dominion or Captaincy-General of Venezuela and Presidency of Quito.

The Isthmians, on proclaiming their independence of the Government of Spain, sought to improve their condition and to insure their future well-being; and, in becoming a part and portion of Colombia, they held in view the prospect of obtaining, without the sacrifice of their legitimate aspirations, the protection of a nation which, in the course of a long and cruel war for its independence, had given evidence that it possessed brilliant and heroic attributes.

There prevailed then in that immense country, which was bounded on the south by Brazil and Peru, and on the east by Guyana, a system of centralized government, unfit for satisfying the aspirations or for ministering to the various needs and requirements of provinces so far apart; and, consequently, from the very birth of the Republic, there were deep-thinking men and eminent politicians who ranged themselves on the side of a federal régime.

The Great Republic of Colombia was dissolved in the year 1831; and from it there arose the three Republics, called Venezuela, Ecuador, and New Granada. The system of centralized government remained, nevertheless, unaltered in the Constitution which

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was adopted by the last-mentioned nation in the year 1832, and the various sections continued to bear the burden of that system of forced uniformity, which, through inevitable reaction, carried within itself the hidden yet imminent peril of premature dissolution.

That was the origin of the civil war that broke out, in the year 1840, in the greater number of the provinces of New Granada. The rebellious provinces denounced the Constitution of 1832, and proclaimed the federation.

The provinces of Panama and Veragua—those, namely, into which the Isthmus was at that time divided—proclaimed their separation from New Granada, and formed an independent and sovereign state, and by an act called the Fundamental Law of the State, passed on the 18th of March, 1841, by the Convention assembled for the purpose, ratified the separation, giving to the nation thus created the name of the State of the Isthmus, and making it a point of law that it was the irrevocable will of the Isthmians, never again to be incorporated in the Republic of New Granada under the centralized régime.

The partisans of the federation were overcome, and centralism was re-established by force throughout the country; but the conception was not extinguished; and, fourteen years later, the Congress of New Granada enacted a law whereby the State of Panama was created as an autonomous entity, with the right to govern itself, provide for its necessities, and promote its progress. This act was followed by other similar ones, and in 1858 federation was an accomplished fact throughout the country.

The National Government strove to undermine the federal organization, and by its acts provoked a revolution which obtained a definitive triumph, and firmly established the federal system for the space of twenty-three years. Another civil war in 1885 was the occasion of the re-establishment of the absolute central and oppressive régime that still prevails throughout the Republic of Colombia.

The foregoing historical sketch goes to prove that the Isthmians have never considered the all-absorbing Central Government as favorable to their development and aggrandizement, and that they have, on the contrary, on various solemn occasions, declared their preference for a federal system, properly understood and put into practice, which might have allowed of their founding their pros-

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perity on solid bases. The narrow-mindedness, however, of the public men of Colombia made everything subservient to the convenience of the requirements of political intrigues, never thinking for a moment of the probable results of their doings.

The central régime has always been to the Isthmians as a halter around their necks. The public functionaries, always appointed, directly or indirectly, by the Central Government of Bogota, were chosen, not for their qualifications for public service, but for their subservience to those in power. Such a misguided and corrupting policy could not fail to bring about, in all matters of public or general interest, the most flagrant misrule or the most criminal inaction.

The Central Government, as a party to the contracts for the building of the Panama Railway, now in operation, and of the Canal, now in process of construction, has received from those Companies, as compensation for their franchises, large amounts of money, which have been spent without even an attempt to discover whether the people most immediately interested in the arrangements for these enterprises were in need of help for works of public utility.

The consequences of such conduct may be observed in the actual backwardness of the Isthmus. With a territory large enough to accommodate nine millions of inhabitants, it has a population of barely three hundred thousand. Endowed with a fertile soil, suitable for all manner of agricultural enterprises, it only offers to view desultory and casual patches cultivated in the style of the aborigines at the beginning of the Spanish Conquest four centuries ago. With a mining region of exceptional richness, only one mine of importance is worked. With a seaboard of thirteen hundred miles on two of the largest oceans in the world—on one of which, the Pacific, are to be found harbors and natural docks, unexcelled on the continent—it may be affirmed that its maritime commerce is still in its incipient stage. There are no roads between its towns; there is not a bridge to cross even one of its 475 rivers.

Possessed of such a variety of natural treasures, the Isthmian people have, nevertheless, been plunged in misery; and, if statistical data were collected, it would become evident that the public wealth only reaches a low figure.

Under such circumstances, it was natural that the Isthmians

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should have seen in the building of the Canal by the Panama route, a prospect of redemption for their industrial development and their material welfare; but the politicians at the centre of Colombia, for sundry reasons, thought proper to reject definitively the Herran-Hay treaty, and the hopes of the Isthmians were made abortive. The Isthmians saw once more that their interests were not taken into account, that their aspirations were not thought worthy of the attention of the nation in which they had of their own free will incorporated themselves; and, with an unanimous and irresistible impulse, they have broken the bond in which they beheld the cause of their actual decadence and their past misfortunes.

The foregoing remarks explain the motives actuating the Isthmian people in effecting the secession which has had for its result the founding of the Republic of Panama.

The Provisional Government of the Republic has been confided to three of the most notable citizens of the country, designated by the people in the most suitable manner, considering the rapidity of the movement and the gravity of the circumstances under which it was brought about. This Government is therefore democratic from its origin; and, pending the organization of the nation by a convention to be chosen by the suffrages of the people, the Government has assumed, provisionally and transitorily, all political powers.

In view of the magnitude of the labors devolving upon it, the Governmental Board has appointed six Ministers, who are now in the regular exercise of their functions. These are the following: the Ministers of State, of Foreign Affairs, of Justice, of Finance, of War and Marine, and of Public Instruction, and the portfolios pertaining to these Ministries have been given to persons who are capable of organizing and imparting stability to the new order established, and in a position to devote their labors to the welfare of the nation.

The Republic of Panama is, therefore, definitely established. Its entry into the family of sovereign, free and independent nations is an accomplished fact, and one of vast historical significance.

The internal policy of the new republic may be outlined as follows: to establish on a solid basis the public peace, for the attainment of which end the peaceful character of the people of the

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Isthmus is a powerful factor; in the next place, to give an impulse to all branches of industry adapted to its soil, by the construction of public roads, the foundation of institutes for technical instruction, and by prudent protective measures; and by encouraging immigration, which is necessary to people our unoccupied territories and to exploit the unbounded natural wealth they contain.

The external policy of the Republic it is more difficult to determine; but no one can ignore the fact that in it the United States will have preponderating influence. The United States is the natural ally of the Republic of Panama by the force of events; and that alliance must, by the building of the Canal, become perpetual and indestructible. It is the interest of the United States to guarantee the sovereignty of the Republic in whose territory that nation is about to execute the most important work of the age; and Panama is in absolute need of its guarantee that the new nation will be safeguarded against aggression by any foreign Power. These interests harmonize one with the other; and the outcome must needs be beneficial to both, as promoting their mutual development.

As regards the obligations contracted by Colombia respecting the territory of the Isthmus and its interoceanic highways, the Republic of Panama will comply with them in perfect good faith, as it will also render effective the corresponding rights which belong to it as the successor of Colombia. All apprehension in regard to any conflict, on the ground of such rights and obligations, must be suppressed.

The Republic of Panama enters upon its life of independence under better auspices than have attended the birth of any other country on the globe; for it possesses inexhaustible elements of prosperity and wealth, it is favored with the friendship of the mighty nation that all the peoples of the earth honor and esteem, and it confides in the good sense of its citizens to insure that they shall dwell together in peace and concord, applying themselves diligently to those labors which make for the general welfare and exalt a nation.

EUSEBIO A. MORALES.

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COLOMBIA'S LAST VISION OF ELDORADO.

BY MARRION WILCOX.

I.

In a small but very important volume entitled "*Canal de Panamá*" (Bogotá, 1903), which includes formal letters to Vice-President Marroquín written by several persons, a prominent Colombian expresses the opinion that the United States has evinced a disposition "to haggle about the price" to be paid for the use of the canal zone, "like a rich man taking advantage of the poverty of a harebrained blusterer *(atolondrado botarate)* to whom he proposes terms he would never dare to offer for the same property to another rich man, able to stand up for his own rights in the transaction." Again, a more outspoken critic asserts in response to a request from his government, that he does not share the conviction of those who say, "We Colombians may as well surrender, because in any event we shall be robbed." He does not think that "the fear of being trampled under foot" *(el temor de un atropello)* should be allowed to influence the decision; since "nothing and nobody can prevent the country from making use of all her forces as a sovereign entity; and, if some peril arises, she ought to accept the vicissitudes of resistance, rather than sacrifice her dignity and her interests."

The volume in which we read these striking passages was prepared by direction of the Colombian Executive, issued by the Ministry of Foreign Affairs of the Colombian Government, and widely distributed with the aid of the Governors of departments.

Similar reproaches and threats were published just before the November revolution (but then without pretence of official sanction) in the United States, where influential journals maintained that the Bogotá politicians had discredited, not Colombia only, but all the Latin-American nations, by attempts to extort money.

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It would be folly to ignore the growth of a sentiment among our people which can be expressed in a cool generalization, as follows: Having so thoroughly tested the quality of statesmanship in *one* of the Latin-American countries, we must decline, in future undertakings for the common interest, to divide authority and responsibility with *any* of those republics.

Appreciative words were, indeed, spoken and written in both countries during the earlier stages of the negotiations, and one or two of the contributions to "*Canal de Panamá*" are especially friendly; but, as the negotiations proceeded towards failure, accusation was matched with countercharge, and threat with threat.

Now, undoubtedly, the obligation resting upon Colombia to reach a wise decision in regard to the proposed convention created a situation which may be compared with a great emergency in the life of an individual, uncovering radical strength or weakness. It is, therefore, entirely proper to observe the conduct of Colombians in this crisis very attentively. This situation or emergency searches the depths of the Colombian national character, bringing to the surface, where they may be seen more plainly than ever before, the real, underlying, permanent national characteristics. But we should be sure that our conclusions are based upon traits which have actually been revealed, rather than upon imputed offences, and that we have, not a mere inkling, but the most reliable presentation which it is possible to secure, of the real motives for the Colombian policy of opposition.

Moreover, it is not too soon for us to reflect, that any generalization including all Latin-American communities in one sweeping charge must be somewhat exasperating to the more progressive nations of the South, whose efforts to live down evil reports deserve prompt and cordial recognition.

II.

In Colombia, the first shaping was given to that famous myth which lured adventurers to their destruction among the unexplored mountains and forests of South America; indeed, the home of the "Gilded Man" *(El Dorado)** has been definitely located by modern scholarship on the table-land of Bogotá. No

* Applicable only to a person—namely, one of the chieftains of the ancient village of Guatavitá, Colombia. For the mythical country, the form "Eldorado" is to be preferred.

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myth ever died harder. Desperate attempts to reach the ever-receding land where boundless wealth was to be won by a single bold stroke, continued to be made in that part of the world during two centuries. And now in our own age, which will never seem quite prosaic to those who take Colombia into the reckoning, the old effort is renewed with unabated zest. During 1902, so long as it seemed probable to Colombians that the United States would pay any price demanded for the right to cut the canal, and for the incidental concessions, the Eldorado fever, breaking out once more, inflamed fancy, awoke credulity, in the old way; and in the old way chose its victims among the leading spirits. Colombians believed that the road to Eldorado had at last been discovered, and that it ran through their own territory; for was not the canal a mode of access to the resources of one of the richest countries in the world?

Obviously, we should consider for a moment Colombia's estimate of the value of the privileges to be sold or leased. We must do so if we are to appreciate the impoverished proprietor's difficulty in accepting our point of view.

Colombia's agent at Paris, representing the republic in the Administrative Council of the Canal Company, early in 1902 calculated that his Government should demand from the United States not less than $20,000,000 in gold immediately, this initial payment to be followed by an annuity of $2,000,000, increasing by $100,000 each year—which would make the annual payment $12,000,000 at the end of ninety-nine years. This calculation he based upon the present volume of the isthmian traffic and its probable increase, asserting that the revenue from the canal would, according to the figures of the French Company, reach $40,000,000 annually. Such a capital sum in hand, and such an assured income, would have made Colombia, at a single stroke, the richest country of her class. And she was the poorest.

Published far and wide, with the indorsement of leading financiers and of the Government, this cheerful estimate did not prepare Colombians to welcome the terms offered in 1903—namely, a cash payment of $10,000,000, with an annuity of $250,000, beginning nine years after the exchange of ratifications of the convention, and increasing not at all.

On the contrary, the calculation of the Colombian agent at Paris, Sr. Samper, made moderation appear inopportune. Things

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feverishly imagined seemed normal. Listen to the words of the gravest men of the republic, selected by the Government as its special counsellors in this grave matter:

Sr. Francisco Groot, member of the Junta of February 13th, writes to his Government on February 19th, 1902, that, "if Colombia takes the first steps, which her historical antecedents and geographical position authorize her to take, to increase the intimacy of her union with the Great American Republic, she will regain on the instant the prestige lost through her frequent *trastornos* [topsy-turvy conditions] and through ineptitude in the management of her finances, since she will derive from a *perfect alliance with the United States an illustrious political position and an immense fortune.*" Again, commenting upon the ineffectual negotiations for a canal treaty that were begun about thirty-three years ago, he indorses the opinion of "prominent men of all parties," to the effect that "the Great Republic of North America is Colombia's *natural ally,*" and that the interoceanic canal is to be cut "principally for the benefit" of Colombia and the United States. Mexico is offered as an example of progress "accelerated by North-American enterprises," and Colombians are encouraged to expect still greater achievements in their own favored land, inasmuch as they possess "the immense advantage of never having waged war against the United States, or lost any part of their territory by so doing. They will, on the contrary, enjoy the "prestige consequent upon their ability to contribute to the further aggrandizement of the Colossus of the North, *without any diminution of the national sovereignty.*" In other words, there is to be immense gain on every side, and absolutely no sacrifice: the Eldorado idea exactly. The Vice-President is urged "to avail himself energetically of the brilliant opportunity, which Providence seems to have reserved" for him, "to vanquish every economic difficulty, insure the sovereignty of the nation over its most important part, and establish order in the country on the solid basis of the prosperity of its inhabitants."

The Colombian Minister at Washington, Sr. Carlos Martínez Silva, writes on January 8th, 1902, that the benefits of this conquest of Eldorado should be secured to future generations as well; that a fixed annuity should be secured from the United States, and used in redeeming Colombia's paper-money, paying interest on the national debt, and (among other things) "calming the

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susceptibilities of the political parties." Nothing less than an Eldorado could supply resources adequate to the carrying out of this programme; for how great a "fixed annuity" would be required to "calm the susceptibilities of political parties" there, and yet leave a residue sufficient to take in hand the mounting debt of $15,000,000, and actually to restore value to the 350,000,000 *pesos* of worthless forced paper currency? But all this is not enough. Sr. Silva adds: "It seems to me to accord with strict justice that [the French Company] should pay a good round sum to the Government of Colombia, since they will lose everything if permission (to transfer the concession) is denied."

In a similar strain Sr. Clímaco Iriarte writes on February 15th, 1902: "The property to be ceded does not belong to the French Company exclusively. . . . The Colombian Government has a legal right to decide whether the cession shall take place or not. . . . Before definitive steps can be authorized, the Government and the company must reach an agreement as to the price to be paid for the transfer, and the quota to be assigned to each."

We see that Colombia was advised by her leading citizens to ask for everything—even to reserve absolute sovereignty over and exclusive jurisdiction within the canal zone; to transfer, at a price that only Eldorado could pay, the rights of which she herself could make no use: to sacrifice, therefore, practically nothing. The law of compensation is suspended in Eldorado, as in Utopia. We have already quoted one frank expression of this view; now let us turn to the report of the majority of the commission appointed by the Junta, dated at Bogotá, February 20th, 1902. "Panama"—thus the commissioners write to the Vice-President—"constitutes the most important part of Colombia's territory, her greatness and her future. To deliver it over into the keeping of a foreign government, to withdraw it from our own jurisdiction, would be suicidal, a betrayal of our country, a repudiation of the inheritance which our ancestors won by their blood and sacrifices, and bequeathed to us. . . . A *condominium* with a government holding the canal concession would be absurd on the part of Colombia. Our right cannot be effective unless this undertaking continues to be, as it is, subject to our own laws."

Such were the extravagant hopes cherished by Colombians. We shall trace rapidly the process of disillusionment.

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III.

On April 18th, 1902, a "Memorandum of Points which should be Incorporated in the Convention" was presented by Sr. José Vicente Concha, the Colombian Minister who took up Sr. Silva's task at Washington. When this document was forwarded to Bogotá and submitted to the Government's advisers for their opinions, Sr. Iriarte protested (June 2nd, 1902), in the most vigorous language against the "points" in Article 2 of the memorandum. The right thereby granted exclusively to the Government of the United States to maintain, operate, *control, and protect* the canal would amount to "absorption of the Isthmus," he said; and inasmuch as the same rights were granted with respect to the auxiliary works, "without fixing or limiting the zone in which such works may be constructed, the Government enjoying this concession will be in fact, if not by right, the sovereign in the department of Panama." He added: "The duration of the concession must in no event exceed one hundred years; if made for a longer period it would amount to a sale." Nevertheless, the terms which seemed so objectionable were retained in the treaty.

The United States suggested, in the draft of the convention presented by the Department of State on July 7th, 1902, that the grant of exclusive rights should be perpetual; but, in a confidential communication to Secretary Hay, dated November 11th, Sr. Concha wrote: "Article 2. The introduction of the expression *á perpetuidad* in this article could not be accepted without changing completely the nature of the contract . . . necessitating an amendment of the Colombian Constitution." Accordingly, as a substitute for a grant in perpetuity of the rights relating to the canal and its auxiliary works, and of the use and control of a strip of territory along the route of the canal, the United States accepted, in a memorandum expressing the wish to reach an agreement with the utmost promptness, the words which appeared in Articles 2 and 3 of the convention concluded January 22nd, 1903, in behalf of Colombia, by Dr. Herrán, Chargé d'Affaires, namely: "the exclusive right *for the term of one hundred years, renewable, at the sole and absolute option of the United States, for periods of similar duration so long as the United States may desire.*" This was more than enough to intensify the fears of those who held that there might be a fatal sacrifice even under a temporary arrangement. To persons of Iriarte's way of think-

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ing, the insertion of the words we have italicized amounted to a demand for the surrender of sovereignty.

Nevertheless, Article 4 of the convention provided that: "The rights and privileges granted to the United States . . . shall not affect the sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised. The United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or any of the sister republics in Central or South America, but, on the contrary, it desires to strengthen the power of the republics on this continent" (evidently meaning "hemisphere"), "and to promote, develop, and maintain their prosperity and independence."

Remember that Articles 2, 3, and 4, like all the rest of the treaty, received Vice-President Marroquín's approval; furthermore, that the approbation of almost any policy or course of action by one prominent Colombian politician insures its condemnation by associates and opponents alike. We need not point out more clearly the invaluable opportunity which was thus supplied to the Colombian Executive's enemies and friends. All his fellow citizens could hopefully undertake to thwart Vice-President Marroquín, by condemning the convention; for they had only to interpret with a little ingenious malice the unfortunate coupling of such a lease as was proposed in Articles 2 and 3 with such an assurance as Article 4 contained.

We may as well look steadily at the fact that a community which, like a weak man guarding his treasure, is suspicious of everybody, always gives heed to such questions as these: "If you deliver your great treasure—your Isthmus, for example—into the keeping of a foreign government, will you not be in danger of losing everything—all the money you receive in payment for the concession, and, through gradual encroachment, the best part of your territory and the independence of your nation?

"Doubtless, the Government of the United States intends to keep all its promises scrupulously, even chivalrously; but when the Government in that country changes, or some emergency arises there, will annual payments be made by the stronger nation to the weaker, or, rather, in some form of tribute more than offsetting the stipulated rental, by the weaker to the stronger? If

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a great Power is allowed to take possession of a part of your domain under a lease running for periods of one hundred years, so long as that great Power may desire, can you believe that Colombia's sovereignty will remain actually unimpaired, forever? Do you realize that, in her desperate financial straits, Colombia is confronted with this extraordinary alternative: either to win so largely that her gain will be comparable with a conquest of Eldorado, or to be utterly ruined; and that utter ruin will come upon her if you surrender the Isthmus? In the words of Nicolás Esguerra, written at Bogotá, 'the canal is perhaps the only effective recourse'—the *only thing*—'that can rescue us from the chaos into which paper-money has plunged us'; but will you, then, knowing this, be deluded by an assurance and disavowal which so strongly resemble a mere equivocation at first sight, and in the end will surely be found inconsistent with the real situation which this treaty would create?" Enemies and friends of Dr. Marroquín, and a few persons unfriendly to the United States, asked such questions, made such suggestions.

Eldorado vanished; and, in the quarter where the Colombians had expected to find it, dire perils arose, like the incalculable dangers of an unexplored country. Patriots and selfish schemers were equally panic-stricken. To both, it seemed that only one hope was left: they must try to change the terms of the convention. But permission to do this was absolutely denied.

On August 5th, 1903, Mr. Beaupré, the American Minister at Bogotá, informed Sr. Luis Carlos Rico, Minister of Foreign Affairs, that the circumstances connected with the negotiations for the canal treaty had been of such a nature that the United States would be justified in regarding any modification whatever of the conditions stipulated in the treaty as a violation of the agreement, jeopardizing the friendly relations which had existed theretofore between Colombia and the United States. Sr. Rico replied guardedly on August 8th, translating into Spanish the paragraph which contained this warning or threat, and seeking to learn whether "among the circumstances alluded to in that paragraph," there were some which had not been disclosed in the previous correspondence. The American Minister replied on the same day that the circumstances to which he referred were fully set forth in his earlier communications, and he reiterated the warning against attempts to modify the treaty or to delay its

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ratification. Three days later, Sr. Rico replied, in substance, that he had analyzed the previous correspondence; that proof of the existence of an agreement to deprive Congress of its usual privileges was not adduced; and that his Government could not have promised to violate the Constitution of Colombia, which obliges the Executive to submit to Congress all treaties with foreign Powers. He again quoted the threatening words of Mr. Beaupré's notes of August 5th and 8th, and said that such a conception of the restrictions imposed upon Colombia was "not in accord with diplomatic usages, or with the express stipulation of Article 28 of the convention itself."

It would seem to be impossible for any honest student to reach conclusions radically different from those which Sr. Rico expressed, very courteously, in that letter, dated at Bogotá, 11th of August, 1903, published in the *Diario Oficial* on August 22nd, and in *La Estrella de Panamá* on September 23rd. Turning to the text of the Constitution of Colombia, we find that Title XI., Art. 120, X., authorizes the President to negotiate treaties and conventions with foreign Powers, but adds that "the treaties shall be submitted for the approval of Congress, and the conventions approved by the President when the Houses are not in session, provided that a favorable opinion of the ministers and council of state [has been obtained]." The language of the original, literally translated as above, is far from clear, but passages in other parts of the Constitution relating to the powers of the Legislature leave no doubt that the ratification by both Houses is requisite for the validity of an agreement such as that of January 22nd, 1903, whether it is called treaty or convention. Further, the right of the Legislature to introduce modifications into an international compact is shown by the practice of the Senate of the United States to be as legitimate as the right to approve or disapprove the treaty as a whole.

Can we believe, or could the Colombian Minister of Foreign Affairs, without offence, have assumed, lacking the clearest proof, that the United States had entered into a secret arrangement with Sr. Silva, Sr. Concha, Dr. Herrán, or Dr. Marroquín for the degradation of the Congress of a "sister" republic? Even if a President of Colombia, or a Vice-President wielding the Federal whip (appointing and removing Governors of departments, who in turn appoint the minor local officials), should attempt to dis-

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pense with legislative approval and substitute an Executive decree, assuming for this purpose the dictatorial powers conferred by Article 121 of the Constitution, the United States would certainly refuse to sanction or to profit by such an outrageous attack upon the principles of popular government. The dictatorial powers in question were conferred with a wholly different object. They may be employed in time of war, or to suppress riots, but not to coerce the legislative branch of the Government.

Article 28 of the convention, which Sr. Rico cited, provides that "this convention, when signed by the contracting parties, shall be ratified *according to the laws of the respective countries*"—which, it could hardly be denied, was an "express stipulation," as he claimed. Article 4, also, we think, might have been cited to show that the United States could not consistently deny to the Colombian Legislature the free use of a faculty guaranteed by the Constitution; for how could a lesson of disrespect for the highest law of that republic, so inclined to "frequent *trastornos*," be brought into harmony with the declared policy of the Great Republic, the protecting country and the pattern, "to promote, develop, and maintain [the sister republics'] prosperity?" When South-American countries thoroughly respect the laws, they will all prosper—some moderately, others enormously; therefore, the friendly Colossus of the North must place above all the Latin-American virtues in embryo, to be developed and maintained, obedience to law generally, and especially devotion to the Constitutions modelled on our own.

Reflecting on these things we feel that it must have been impossible to place the United States in the attitude of denying to a Colombian Congress the right to consider, in turn and with care, every one of the twenty-eight articles—that is, to "delay" ratification, if that should seem unavoidable, and to "modify the conditions" which they might find unacceptable. But the United States was placed, so far, at least, as the politicians at Bogotá could see, in that position precisely. The interchange of diplomatic notes which we have outlined was complete on August 11th. On August 12th, 24 members of the Colombian Senate (the total membership being 27) voted to reject the treaty.

The next step was to frame a counter-proposition. On August 29th, commissioners appointed by the Senate to "study the manner to satisfy the vehement desire of the Colombian people touch-

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ing the excavation of the Panama Canal," attached their signatures to the curious Project of Law, which provided that Colombia should receive at least $30,000,000 (*i.e.*, 50,000,000 francs from the Canal Company, and $20,000,000 or more from the United States) as soon as the ratifications of a new treaty should be exchanged; that, with regard to the Panama Railway, the United States might be allowed to succeed to the Railway Company's ample obligations and limited privileges, including the obligation to pay an annual rental of $250,000, and either surrender to Colombia absolute ownership of the enterprise at the end of 1967 or buy the line in that year at a price which should seem just to both parties—or to an arbitrator; that, with regard to the canal, an easement might be created in favor of the United States, for the sole purpose of cutting, maintaining, and exploiting the canal and its auxiliary works upon a zone of Colombian territory ten miles wide; that the said easement might continue in force for one hundred years, the concessionary paying therefor an annual *canon* (fee paid as a mark of acknowledgment of the superiority of a higher lord) of $150,000 until 1967, and of $400,000 from 1968 onward, this privilege being renewable on the basis of an increase in the maximum payment during the anterior period of twenty-five per cent in the annual amount of the *canon;* and, finally, that the negotiation might be effected, not with the United States at all, but, as the alternative of desperation, with some "private company or society."

The Project of Law had a very brief lease of life. It passed from the commission to Senator Rivas Groot, who presented it in secret session on October 6th, showing his apprehension of its wild extravagances by what he said publicly at the time about the treaty it was designed to displace. The Hay-Herrán treaty, he asserted, "was, indeed, unconstitutional, because it virtually ceded the sovereignty; but it would have been accepted with *slight* modifications if the notes of the American Minister, in which he stated that his Government would consent to no modification, had not occasioned its rejection." When the commission's Project collapsed, there was, strictly speaking, no proposition for a canal treaty which the Congress at Bogotá was at liberty to consider. The adjournment of that body, delayed until the end of October, was immediately followed by revolution, the people of Panama having, in the words of the explanation reported to

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have been given by our Government to the press on November 6th, "prepared the machinery of revolution in advance."

IV.

Now, the success of the revolutionary movement prepared months in advance is not Colombia's death-blow: it is the beginning of her dismemberment. She had enough pride and savage strength to hide until then a mortal wound sustained last August, when her own children, in a moment of blind passion, rejected the canal treaty. It is not permissible for any one to judge a dying nation harshly. Least of all, should harsh judgments be expressed,—in this still doubtful matter, while the allotment of responsibility cannot be foreseen with absolute certainty,—here.

But, even aside from that consideration; even if our people assume, as they profoundly hope, that the outlook for Colombia may not be wholly tragical, and that our Government may be cleared of all blame; are the charges which are brought against our "sister republic" true? Is it true, as a great newspaper says, that the Project of Law was, or contained, a "cold, deliberate, impudent proposal of blackmail pure and simple?" No. It bears, if one reads it without prejudice, "coldly and deliberately," the plainest marks of that consternation which, in point of fact, prevailed at Bogotá, with curious marks of anger in one or two ill-chosen words. We have seen that it is virtually a recurrence, in a panic, to the old, wildly extravagant terms; a restatement of the hopes entertained in 1902; and its concluding part, which, misread, seems to convey a threat, is a wailing cry: "Surely *somebody* will finish the work, the United States refusing; we shall not lose it altogether—our only treasure and hope; *some* way there must be found to Eldorado!" Childish, even foolish and romantic, this document, the articles of which are not numbered, might be called; but if it, being the work of two men only, Sr. Ospina and Sr. Rodríguez, actually embodied a "proposal of blackmail, pure and simple," does the circumstance that it was riddled by the associates of those two men, in the Colombian Legislature and press, justify the charge published here that "the Colombian Congress adjourned, having indicated its disposition to levy blackmail to the amount of $10,000,000 on the French Company, and to the amount of $20,000,000 on the United States?" Again, is it true that Colombia was "an ob-

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structionist for extortion," its Government "trying to block the mightiest enterprise ever undertaken for the common benefit of the globe's commerce"; that, having "repudiated her duty to the world," Colombia "is neither entitled to the sympathy and moral support of any great Power, nor likely to receive such sympathy and support"; that the "behavior of the Colombian Government has been most reprehensible and offensive"; and that the rejection of the treaty was "a breach of good faith toward the United States"—an offence which has "frequently caused war?" These quotations are from recent issues of prominent daily papers of New York and Chicago. A discussion of the problematic future "sympathy and support" of great Powers would take us far beyond the natural limits of our theme; the foregoing characterizations of motive and conduct belonging already to the past cannot, however, be overlooked.

On the 20th of last September, one of the Senators who declined to vote against the treaty in August, and who soon afterwards was appointed by Sr. Marroquín to be Governor of a Department, said in the course of an inaugural address: "It has been and is my opinion that the interests of mankind generally, which urgently demand the construction of a waterway uniting the Atlantic Ocean with the Pacific, have a right to *(tienen derecho á)* our co-operation. We must not deny to civilization that which civilization needs on its victorious march." This is well, very well, indeed; but now let us place the speaker, not in Panama, among enthusiastic partizans, but in Bogotá, among his fellow Senators and Representatives. We must think of the Colombian Congress as a body largely composed of "hayseed" legislators. A majority of both Houses, realizing that their departments were remote, and not even connected by railways with the proposed canal, had gone up to Bogotá convinced that they would find it hard to secure for the departments which they represented a share in the benefits to come from the great work; they feared, moreover, lest the independence of the country as a whole should be put in jeopardy. A saying had been current in Latin-America for many years to the following effect: Wherever the canal is cut, there will be the southern boundary of the United States. A minority appreciated, as did Sr. de Obaldia, whose words we have just given, Colombia's duty to the world, in connection with an enterprise for the benefit of both hemispheres.

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Met together in their little capital, with its stout, low house-walls, resistant to earthquakes—isolated, close to the equatorial line, far above the summits of high mountains, as we reckon such altitudes—the minority sought to overcome the narrow prejudices of the members from inland departments; and there were golden dreams, as we have said, and there was a flattering new sense of personal importance. Success was not improbable. Then all—both those who had seen one of the two oceans in question and the still more punctilious members who had not—felt that they had been insulted, and struck back quickly, only irritating their antagonist for a moment, while destroying their own nation.

We have not on this writing-table at the moment a transcript of a speech by Senator or Representative who shared de Obaldia's prepossessions; but some man among them must, very quickly, have spoken words which, in the English language, would mean: "The Government of the United States puts us in a position where we cannot act in accordance with our earnest wish, or perform the duty to civilization and progress which, as you know, I stand for. The Government of the United States, and our own Government through its agents at Washington, have inserted provisions making the treaty impossible under our Constitution. Yet, that one of the two governments which, throughout the American hemisphere, stands for civilization and progress, withholds permission to make the slightest change. We are trampled under foot now; nothing could be more insignificant than Colombia. But wait: presently we shall be conspicuous—as recipients of such reproaches as may be justly levelled at those who obstruct a short cut between factory and shop. A foreign Government strips from us the privileges with which the Colombian people clothed us. We offer our naked acknowledgment. We are sure the Senate of the United States would do no less, to please a foreign Government treating with the United States respecting concessions, and preferring to deal solely with Ambassador or President. The Senate of the United States, without 'delay,' gives up its privileges at the bidding of England or Germany. And the Great Republic is our model."

But we must turn sharply away from imagined rhetoric if we are to carry out the promise of the introductory paragraphs.

Unquestionably the Colombian character is essentially feminine. It requires guidance, considerate treatment, and the deft

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hand. Even if our diplomacy had not driven the Colombians into a *cul-de-sac*, from which there was no way out but by return to the point of departure—the vision of Eldorado, a year old, four centuries old—they might have failed to appreciate the limitations imposed upon the generosity of our Government; they might have refused to enter into a reasonable agreement, despite such proof of good-will and confidence as the United States evinced, for example, by the complete acceptance of their wishes in regard to Article 23; they might, in short, have shown themselves incapable of rising to the height of the opportunity which was actually present, though not presented. But no man among us who loves justice will claim that we can now see clearly to pull out a mote from Colombia's eye. We did not give the politicians below the Isthmus a chance to demonstrate their incapacity.

Unquestionably, also, relations of protection and dependence might have been established between the United States and a country which had scarcely begun to learn how to keep peace within its borders, to develop its splendid natural resources, or to guard its finances from preposterous mismanagement. Colombians have no talent for sustained co-operation, either among themselves or with the United States—on quite equal terms. This must be gradually acquired, and, for a long time to come, a duty we cannot shirk will be, to supply all but a small fraction of the whole amount of concurrence required for every undertaking we engage in with them and a few other of the least progressive Latin-American nations. But no man among us who hates injustice will claim that our Government's diplomacy made it easy for the bitterly opposed factions in Colombia to sink their differences, unite in approval of a canal treaty, and strike hands with us in hearty acceptance of a good bargain.

Each Latin-American country must be studied as a separate problem: otherwise, we shall never put an end to mutual distrust, misunderstanding, and misrepresentation. We need not point to the achievements of remote Argentina and Chile, since, if we are at all willing to be convinced of the injustice of sweeping generalizations applied to Latin-America, we have only to study the little self-made republic of Costa Rica, which owns the most healthful and habitable part of the territory between the Panama and Nicaragua canal routes.

MARRION WILCOX.

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THE TREACHEROUS TREATY: A COLOMBIAN PLEA.

BY RAÚL PÉREZ.

THE action of the United States Government in regard to Colombia is a new departure in more ways than one. In the presence of that action, there is no reason for anybody to show amazement at the course of the Colombian Government in appealing to the Senate and people of the United States with the same trustfulness with which the Treaty of 1846-48 was negotiated and agreed upon. As a Colombian who has lived for years in this country, and who has deep faith in the sound principles of the North-American nation, I will endeavor to present the merits of our case before the people of the United States.

Colombia, a weak republic, owns the Isthmus of Panama, a most valuable strip of land because of its location. All the great World Powers have coveted this heritage of my country.

Some fifty years ago, England's attitude toward the Mosquito Coast and the outlet of the San Juan River,—in fact, toward any Central-American territory considered then as a possible or probable terminal for the great water-way to be opened some day—was causing great uneasiness in Colombia (then New Granada), and also in the United States. Colombian statesmen, judging that the Isthmus of Panama would be better protected by one Power than by the mutual jealousies of all the great nations, and having absolute trust and faith in the Government and people of the United States, decided on the plan of placing that region under the guardianship of the great American Republic.

The North-American Government, on its side, desiring to obtain whatever advantage it might secure in the future canal, was eager to avail itself of any opportunity to that end.

The Treaty of 1846-48 between New Granada and the United

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States was the natural result of these conditions. The thirty-fifth article of that treaty is the only one bearing on the matter under consideration, and is worded thus:

"The Government of New Granada (Colombia) guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama, upon any modes of communication that now exist or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States; . . . . and in order to secure to themselves the tranquil and constant enjoyment of these advantages, and for the favors they have acquired, by the fourth, fifth and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada, by the present stipulations, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in any consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory."

Now, what was meant by "perfect neutrality"?

In the first place, only a large majority of the leading nations of the world, and not the United States nor any other World Power by itself, could either then or to-day guarantee positively and efficaciously the perfect neutrality of a region like the Isthmus. The true spirit of the treaty, and what both parties to it meant, was that the United States pledged itself to stand by and help the Colombians positively, and to the best of their ability to defend, guard and protect the Isthmus of Panama against foreign aggression. At any rate, to Colombian minds it is absolutely evident and always has been, that the thirty-fifth article of the Treaty of 1846-48 does not imply any right given to the United States to interfere in internal struggles in Colombia. This question has been exhaustively discussed in the Colombian press and by all the noted statesmen of our country; and no one, with the exceptions to be mentioned later, has ever taken the position that the treaty involved the giving to the United States any right of interference in the internal troubles of Colombia.

In order to afford the American reader the means of forming an approximate idea of the incalculable wrong that the interpretation of interference has worked on Colombia, I must give a brief sketch of our country's history during the past forty years.

In 1860, our two contending parties,—the Liberal and the Con-

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servative—were at odds, and they were face to face on the field of battle. The questions at stake were not, as it is supposed in this country that they generally are, the personal ambitions of two or more petty leaders, but the gravest and most vital that have agitated humanity. The Liberal party was fighting, with enthusiasm, conviction and courage, for its ideals, namely: religious liberty; abolition of slavery; popular, compulsory and universal education; admission of foreign immigration; freedom of the press; good roads, and all the other sane principles on which modern civilization is established. The Conservative party was fighting, with stubborn determination, for the contrary principles and the preservation of the old colonial methods of government, which are bitterly opposed to progress.

With a lack of patriotism which has been severely condemned by Colombians, the Conservative government in 1862 appealed to Washington for support, maliciously interpreting for the first time the Treaty of 1846-48 as demanding the upholding of their faction in the Isthmus of Panama.

The American Government did not gratify the wishes of the Colombian Conservatives. Some time later, the Attorney-General of the United States declared that the guarantee of the United States referred only to foreign governments, and did not authorize the United States to take sides with one or the other party in the internal troubles of Colombia. Such is the true spirit of the treaty, as it is understood by all Colombians.

With the success of the Liberal party in 1863, the establishment of a true republican constitution and of a progressive government, an era of great prosperity began. Public education, being the paramount issue, received the most careful attention, and the results obtained in twenty years were such as to warrant the belief that in ten years more the absolute transformation of the country would be effected, and that the revolutionary era would cease through the mere enlightenment of the masses.

But it must not be thought that this work was carried on smoothly. It was a Herculean labor, and was prosecuted against appalling odds. Every agency was brought to bear against the public schools by the priests. These schools were excommunicated, and likewise the parents of the children attending them. Mothers, sisters, and all feminine relatives in general of the boys and girls heard of nothing else but the enormous risks they were running

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of incurring eternal perdition by not preventing the children of their families from attending the ungodly schools.

At the confessionals, mothers were denied absolution if they did not abandon their husbands and families, rather than tolerate the sending of their children to the public schools.

The Government had decided that one hour should be set aside every alternate day for religious tuition, and the priests were asked to give that instruction to the children of the parents who so desired,—an advantage offered to all other creeds. The priests refused, alleging that they could not afford to become contaminated by passing the threshold of Satan's domain!

It is very difficult, perhaps impossible, for the American mind to realize the limitless influence that the priests exercise over the bigoted, fanatical population that they have for centuries successfully endeavored to keep under absolute control. For that reason, the American reader will scarcely be able to appreciate the value of the work done by the Colombian Liberal party with regard to popular education. In 1883, about one hundred thousand children were attending the schools, and one-fifth of the national revenues was spent in public instruction. The normal training-schools were furnishing a sufficient number of teachers of both sexes to supply schools for towns, villages, and even for rural districts. Such were the hopeful and encouraging conditions after twenty years of gigantic struggle.

At the advent of the Liberal Government in 1863, four-fifths of the national wealth was in possession of the religious orders. All such property was termed "mortmain," being in hands that could not alienate, that did not know how to develop, such immense estates in any profitable manner.

In Colombia, in 1863, almost the totality of the land, the houses, mines, etc., were mortmain. Radical measures had to be adopted to restore the wealth of the country to circulation by placing it in active hands that would attend to its development. The only way to accomplish the economical salvation of the country was to carry out the sweeping measures adopted by other nations in similar cases—that is, the confiscation of all such properties by the State, their sale at public auction, the abolition of convents and the non-recognition of religious corporations as "juridicial persons," or citizens that can acquire and alienate property, accept legacies or transact business.

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Well can be imagined the clamor that was aroused by the friars. The air was so filled with excommunications that they lost much of their influence; but the men who carried out the measure of the economical rejuvenation of the country were even greater heroes than those who secured independence from Spain after seventeen years of hard fighting. These men were daily insulted on the streets; they received the most threatening letters; their offices were battle-fields; and, when they went to their homes for rest, the hardest of the conflict began for them, with the tears, the supplications, recriminations and appeals from all the feminine inmates of their households.

The establishment of the telegraphic system throughout the country met with as many difficulties as the other progressive measures introduced by the Liberals. The fanatics were sent to destroy the lines that "were worked by the evil spirit."

The banking industry, which had been absolutely unknown before 1863, was in the high tide of prosperity in 1883.

The foreign debt, which amounted to $33,000,000 in 1861, had been reduced in 1873 by the Perez-O'Leary agreement to $10,000,000, and the interest and the amortization fund were scrupulously paid. The internal debt was also decreased in a most satisfactory manner, the Government paying punctually during that period the pensions allotted to the monks, friars and nuns of the dispersed congregations.

What has been said may perhaps be sufficient to give some idea of the work done in twenty years, and of the readiness of the country in 1883 to begin reaping the harvest of the seeds that had been sown. The Conservatives, in 1876, had fully realized that their time had come to make a desperate effort to regain their hold on the country by force of arms. They saw that Colombia was surely slipping from their control, and that five or ten years more of Liberal rule would mean their total elimination as a political factor. They had been preparing, with the aid of foreign colleagues for a great revolution. This had been done openly, for they controlled two of the nine States of the Union, and the laws guaranteed the free trade in arms and ammunition. In that great struggle, they were completely crushed, and people began to consider them as a thing of the past and to look upon that conflict as the last with the old Spanish colonial aspirations.

During the Conservative revolution of 1876 and other minor

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troubles, the Isthmus of Panama was disturbed as was the rest of the country, but the Liberal Government never thought of appealing to Washington under the Treaty of 1846-48, having never accepted the intervention interpretation; nor did the Washington Cabinet take the slightest measures to interfere. The opinion of the Attorney-General of the United States had been considered as final on the subject, and one or two of the Colombian ministers to Washington had officially informed the American Government of the views held by Colombia with regard to the interpretation of the treaty.

In 1880, Colombia fell into the hands of a most dangerous man. Rafael Nuñez, a Liberal, a brilliant writer and one who had taken an active and important part in rescuing the mortmain property, became a second time a candidate for the Presidency. He had been defeated in 1875, the Liberal party (extremely Puritanical in principles) dreading his absolute lack of moral sense and his unscrupulous methods in politics.

Nuñez succeeded in organizing a new party of his own, attracting to his side a great number of young men, fresh from the universities, by persuading them that what existed in the country was nothing but oligarchy, and that the leaders and veterans who had established the true Republic were nothing but old-fashioned, narrow-minded men. He told them that, in organizing the new party, he had in view the opening of more ample chances for young men, who were receiving an education at the expense of the Liberal Government; he flattered them by personal promises; telling them that portfolios, governorships, senatorships, and other high official positions were awaiting them.

He was elected in 1880, and from the first day of his first administration, the period of corruption, pillage and demoralization that has brought Colombia into its present plight has to be dated. The first ruin wrought was that of the national credit, when Nuñez refused to pay another cent of the foreign debt. His financial principles may be condensed into two of his sayings which became famous: "Living comes before paying," and "Whosoever pays a debt, unless to escape the gallows, is an idiot."

In order to procure abundant resources to carry out his plan of buying all those whose consciences were in the market, or corrupting all those whom he expected to be able to tempt, Nuñez created a national bank issuing paper money of compulsory acceptance

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as the only legal tender. All contracts stipulating another kind of money than the national paper currency were illegal, and consequently null and void. The flourishing banking industry received a deadly blow, and the results of that financial scheme need no other description or comment than that the Colombian legal tender is to-day so low in value that it is necessary to pay $250 in paper for one American gold dollar.

The scheme, though ruinous for the country, worked wonders for the schemer, enabling him to enrich the disreputable throng which surrounded him.

In the election of 1882, the Liberal party made a supreme effort against Nuñez. A genuine Liberal was elected to the Presidency; but, unfortunately, he was nearly eighty years of age, and delicate of constitution. An anomalous condition of affairs soon became evident. Nuñez had the control of both Houses, and the President could not organize a cabinet because the men appointed for secretaryships were rejected by Congress. According to the constitution, there was no Vice-President elected by the people, but a "First Designate" elected by Congress. The man chosen as Designate was, of course, one of Nuñez's creatures. The aged President could not withstand the violent strain of such a political situation. It became absolutely necessary for his health that he should have a change of climate, but the national constitution did not permit the absence of the President from the capital without the consent of Congress, and this consent was denied. The departure of the President would leave the place to Nuñez and his clique, which meant the giving up of all hope of salvation for the Liberal ideals. The President did his duty by remaining at his post, and by so doing lost his life, which he could have prolonged by a change of climate as ordered by his doctors.

The Liberal President being out of the way, Nuñez's sinister influence was supreme in all matters political; for, although the First Designate—who was now President—tried to show some independence of spirit in favor of Liberal policy, he was promptly checked and reduced to obedience. Nuñez again became candidate, but he lost a large majority of his Liberal partisans; those who understood that the man desired a Dictatorship, and realized that their leader had abandoned Liberal traditions and the sound principles in which they had been reared.

Feeling the loss of their support, Nuñez entered into secret

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dealings with the Conservatives, promising to turn the government over to them in exchange for their unconditional support. His second administration was inaugurated by several acts implying a total disregard of the constitution and of the laws, and by the installation of the Conservatives in all important positions.

The Liberal party, realizing that the titanic labor of twenty years was about to be reduced to nothingness, appealed to arms, determining to force the Dictator to conform to the constitution. Nuñez threw his power entirely on the side of the Conservatives. This struggle was the revolution of 1885. The Liberals were successful on the Atlantic coast, and they also held the Magdalena River, the only entrance to the interior and the capital.

At this juncture, Nuñez bethought himself of the Treaty of 1846-48, of the interpretation of interference, and probably also of the marked views held by Mr. Blaine with regard to such matters. The Colombian Minister at Washington—a Liberal renegade like Nuñez—eager to show his adherence to his new party and having no love of country, served well the Dictator's wishes. Minister Becerra begged for the intervention of the United States; and the Washington Cabinet, anxious to proclaim before the world its control over the Isthmus of Panama, and not taking into consideration the nature of the struggle in Colombia, ordered the North-Atlantic Squadron down to the Isthmus.

The American marines landed in Colon just at the time when a battle was in progress, and took sides with the Dictator's troops. During the battle, a few houses caught fire and the Liberals were accused of incendiarism. The American Admiral, following instructions from Washington, demanded that the Liberal leader should be given up to him to be executed; but the accused man succeeded in making his escape to Cartagena, a strongly fortified town on the Colombian Atlantic coast.

This man was a prominent lawyer in Colon, the owner of valuable buildings near the Panama Railway station, and was, besides, the legal attorney for other owners of real estate on both sides of his property. For several years the Panama Railway Company had been trying to purchase this ground, which was much needed, owing to limited space and increasing traffic. It happened that those very houses were the ones burned, and the flames started in the two owned by the man who was accused of setting Colon on fire.

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On the arrival of the Colon Liberal General at Cartagena Bay—where one of our armies was besieging the city, and where news had come that Prestan, an outlaw, had set Colon on fire and had committed all sorts of atrocities—our Commander-in-Chief gave the order for Prestan's arrest, the writer being the officer who carried out the order, taking Prestan to a dungeon in one of the several castles which surround Cartagena, and which our armies had won from the enemy in the course of the two months' daily fighting. An investigation of Prestan's conduct was ordered, and, had the constitutional party been successful, the man would have been tried in accordance with the laws of the country.

At that time, in the Bay of Cartagena, more than five hundred miles from the Isthmus of Panama, and consequently in a territory where the Treaty of 1846-48 had no application, the United States vessel "Powhatan" was interfering in our domestic troubles, and openly aiding the besieged dictatorial army. Several notes were then written by our Chief General of Staff, and I had the honor of presenting them to Captain Beardsley and of acting as interpreter between the two sides. The notes had some effect, and Captain Beardsley withdrew his ship from the place it had occupied in protecting the city from our fire; but he continued to send provisions to the besieged city, on the pretext that the provisions were for the sustenance of the American Consul and of American citizens. The truth was, that there were no American citizens within the walls of Cartagena; and the American Consul there was a Colombian and a Conservative, who had refused to abandon the city. Soon afterwards the whole North-Atlantic squadron, under Admiral Jouett, put in its appearance in Cartagena Bay. The first demand of the Admiral was, that Prestan, our General who had been accused of setting Colon on fire, should be given up to him to be hung without trial as an example, and also—as we then understood and with good reason—to establish a precedent, by an unmistakable act of sovereignty, as a declaration before the world.

I was again the bearer of another note to Admiral Jouett, in which it was stated that Colombia was an independent nation having a constitution and regular laws; that, if Prestan had been guilty of any crime, he would be tried in accordance with those laws, and sentenced to the legal penalty should he be found guilty; but that in no case would he be put to death, for our Constitu-

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tional Charter had abolished the death penalty. The Admiral was greatly incensed; but, having been commissioned to explain the situation to him, I succeeded, after a very long conversation, in causing him to see matters in another light, although, having special orders from his Government, he was naturally obliged to carry them out.

A general and final assault on the besieged city had been decided upon some short time after Admiral Jouett's arrival. As the United States ships were in our way, it was necessary to inform the squadron of our plans and to ask from Admiral Jouett the withdrawal of his ships to some place outside the range of fire. To a great extent the assault had been decided upon in consideration of the fact that the United States squadron was against us, and that if we succeeded in taking the city, the American fleet would have no dictatorial army to protect. The plans for the assault were of a nature to insure success, provided, however, that the besieged had not the faintest inkling of what was going to take place. The assault was delivered, and we found the enemy perfectly well prepared to receive us. We were repulsed, and there was nothing left to do but to raise the siege. When our fleet was leaving, it was found that chains had been laid across the entrance by the American marines, so as to entrap us within the Bay. Our generals made a strong representation to Admiral Jouett, and informed him that our fleet would attempt to cross the entrance and that the responsibility for what happened would all be his. The chains were removed and our ships proceeded to Savanilla, another port on the Atlantic.

The outcome of the assault on Cartagena was a deadly blow to the Constitutional arms, and it resulted in the enthronement of Nuñez as Dictator until the end of his life, ten years later. He killed the constitution by simply appearing at one of the windows of the palace, and saying, "The Constitution of 1863 has ceased to exist." The country which would have been to-day the most advanced in South America, and would have exerted, under such conditions, a decided influence towards ending the revolutions in the neighboring countries, was set back centuries, and placed in a worse situation than before it won independence from Spain. It is probable that much of the present century will elapse before Colombia will regain the prosperous conditions of 1880.

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So, then, the first practical result of the Treaty of 1846-48 was the ruination of Colombia, unconsciously brought about by the republic that was to protect the Isthmus of Panama against the greed of all World Powers. How little knew the Colombians, who prepared and sanctioned that treaty, what its workings would be!

I must add here that, later, when Admiral Jouett came to Savanilla Bay, he understood the political situation of Colombia much better after we had enjoyed many a long conversation with him. Being an American citizen, a righteous man and a great Liberal himself, all his sympathies were on our side, as is invariably the case with every American familiar with our affairs. He then tried to have the two parties agree and sign a peace treaty to save the constitution, but his efforts failed.

Prestan, the man accused of having set Colon on fire, fell into the hands of his enemies; and, under American pressure, was put to death in Colon in front of the place where his property had once stood, and after the Panama Railroad had enlarged its tracks without paying a cent for Prestan's lots.

Notwithstanding the incalculable wrong done to Colombia and to the Colombian Liberals by the United States, and notwithstanding our realization that without the intervention of the United States these eighteen years of fanaticism, degradation, pillage, darkness and misrule of our country would have been an impossibility, there has been no ill-feeling in our hearts. We have continued to love our great sister republic and to wish that we could imitate her in many ways, because we attributed her mistakes in her dealings with us to ignorance of the true conditions.

During the last Colombian revolution, which continued for three years, the Government again solicited the intervention of the United States in our domestic troubles. The events are so recent that every one remembers the active part taken by the American ships in the struggle on the Isthmus. It must be said that all efforts were made at Washington to render such intervention as impartial as possible, although the fact remains that it favored in a decisive way the party in power.

At the time when the last struggle was in progress in Colombia, the Washington government became anxious to have a treaty negotiated with our country for the cutting of the Panama canal. The occasion could not have been more ill-suited for the purpose. The "*de facto*" government in Colombia in those days had

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sprung out of a *coup d'état,* and its authority and existence were seriously menaced by several strong Liberal armies. The extension of time granted to the *Compagnie Universelle du Canal de Panamá*—the third party to the negotiation—was absolutely illegal, as it was granted by the tottering Sanclemente administration against the formal prohibition of the previous Congress—a fact of which the Washington Cabinet was perfectly aware, having been notified of it by the Confidential Agent for the Revolution in the United States. But the Colombian ministers to Washington, overanxious to please the Washington officials, fearing for the existence of their party, acceded readily to the wishes of the United States Government. It seems, however, that Minister Martinez Silva and subsequently Minister Concha, on becoming acquainted with the exacting stipulations of the proposed treaty, and understanding that no Congress in Colombia would ratify them, withdrew from the post, or were removed on account of their refusal to assent to such conditions. Mr. Herrán showed himself docile and willing to follow the instructions given him by the Marroquín government. Under those conditions, the Hay-Herrán treaty was agreed upon in Washington, no consideration being given to the fact that there was an immense disparity between a private corporation doing business in Panama under Colombian laws and a great World Power, that demanded an impossible cession of territory forbidden by the constitution.

The Marroquín government knew so well that Congress and Colombia at large would not sanction the Hay-Herrán treaty, that the document was kept secret as long as possible and first became known by translations made from American papers.

Adding insult to injury, a part of the press in this country has cruelly vilified Colombia, attributing the most shameful motives for our non-acceptance of the treaty. The reasons for the rejection of the Hay-Herrán treaty were, chiefly, the following:

1. The impossibility of having a World Power substituted for a private corporation;

2. The necessity of granting an entirely new concession, or making a contract, perfectly defined in all particulars, with the new builder of the canal, which would take into account the nature and the magnitude of the new contractor;

3. The illegality of the treaty, as being in direct opposition to the constitution of the country;

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4. The illegality of the extension of time granted to the *Compagnie Universelle du Canal de Panama,* which was granted against the express wishes of the Colombian Congress;

5. The reluctance that a large majority of the Colombians had to see $10,000,000 squandered by officials they did not trust, without the slightest benefit to the nation;

6. The repugnance, (illusory, perhaps, but sincere), that many felt against selling their fellow countrymen on the Isthmus;

7. The smallness of the sum offered, which was not even enough to pay for the share in the Panama Railroad reverting entirely to Colombia at the close of the franchise.

Any unbiased mind cannot fail to see in the above-mentioned reasons sufficiently powerful motives for rejecting the Hay-Herrán treaty, and for expecting that all concerned would be desirous that the whole matter should be dealt with anew, so as to prevent difficulties and entanglements in the future by giving every one a clear and sound title.

Everybody in Colombia was in favor of the cutting of the Canal by the United States, provided that all matters connected with the enterprise were legally established, and that each party to it should have his just due.

The Colombian Congress was ready to approve a basis for a new proposition to the United States, when a note from the American Minister to Bogotá informed the Government there, in a tone deeply resented by all members of Congress and by all Colombians, that outside of the stipulations of the Hay-Herrán treaty the American Government would not consider any other. That act of the American Minister, according to all reports, was the real cause for the abstention of the Colombian Congress from further action on the subject for the time being.

Now the Treaty of 1846-48 has been made the occasion for the dismemberment of Colombia, and that country, bewildered in the presence of what has taken place, and unable to believe that she has been deluded by the guardian of her birthright, has no other course left but to appeal to the people of the United States and to their undoubted sense of honesty.

RAÚL PÉREZ.

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THE AMBASSADORS.

BY HENRY JAMES.

PART XII.

XXXI.

STRETHER couldn't have said he had during the previous hours definitely expected it; yet when, later on, that morning—though no later indeed than for his coming forth at ten o'clock—he saw the *concierge* produce, on his approach, a *petit bleu* delivered since his letters had been sent up, he recognized the appearance as the first symptom of a sequel. He then knew he had been thinking of some early sign from Chad as more likely, after all, than not; and this would be, precisely, the early sign. He took it so for granted that he opened the *petit bleu* just where he had stopped, in the pleasant cool draught of the *porte-cochère*—only curious to see where the young man would, at such a juncture, break out. His curiosity, however, was more than gratified; the small missive, whose gummed edge he had detached without attention to the address, not being from the young man at all, but from the person whom the case gave him, on the spot, as still more worth while. Worth while or not, he went round to the nearest telegraph-office, the big one on the Boulevard, with a directness that almost confessed to a fear of the danger of delay. He might have been thinking that if he didn't go before he *could* think, he wouldn't perhaps go at all. He at any rate kept, in the lower side-pocket of his morning coat, a very deliberate hand on his blue missive, crumpling it up rather tenderly than harshly. He wrote a reply, on the Boulevard, also in the form of a *petit bleu*—which was quickly done, under pressure of the place, inasmuch as, like Mme. de Vionnet's own communication, it consisted of the fewest words. She had asked him if he could do her the very great kindness of coming to see her that evening at half past nine, and he answered, as if nothing were easier, that he would present himself at the hour she named. She had added a line of postscript, to the effect that she would come to him elsewhere and at his own hour if he preferred; but he took no notice of this, feeling that if he saw her at all half the value of it would be in seeing her where he had already seen her best. He mightn't see her at all; that was one of the reflections he made after writing and before he dropped his

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closed card into the box; he mightn't see any one at all any more at all; he might make an end as well now as ever, leaving things as they were, since he was doubtless not to leave them better, and taking his way home so far as should appear that a home remained to him. This alternative was for a few minutes so sharp that if he at last did deposit his missive it was perhaps because the pressure of the place had an effect.

There was none other, however, than the common and constant pressure, familiar to our friend under the rubric of *Postes et Télégraphes*—the something in the air of these establishments; the vibration of the vast, strange life of the town, the influence of the types, the performers concocting their messages; the little prompt Paris women, arranging, pretexting goodness knew what, driving the dreadful needle-pointed public pen at the dreadful sand-strewn public table: implements that symbolized for Strether's too interpretative innocence something more acute in manners, more sinister in morals, more fierce in the national life. After he had put in his paper, he had ranged himself, he was really amused to think, on the side of the fierce, the sinister, the acute. He was carrying on a correspondence, across the great city, quite in the key of the *Postes et Télégraphes* in general; and it was fairly as if the acceptance of that fact had come from something in his state that sorted with the occupation of his neighbors. He was mixed up with the typical tale of Paris, and so were they, poor things—how could they all together help being? They were no worse than he, in short, and he no worse than they—if, queerly enough, no better; and at all events he had settled his hash, so that he went out to begin, from that moment, his day of waiting. The great settlement was, as he felt, in his preference for seeing his correspondent in her own best conditions. *That* was part of the typical tale, the part most significant in respect to himself. He liked the place she lived in, the picture that, each time, squared itself, large and high and clear, around her: every occasion of seeing it was a pleasure of a different shade. Yet what, precisely, was he doing with shades of pleasure now, and why hadn't he, properly and logically, compelled her to commit herself to whatever of disadvantage and penalty the situation might throw up? He might have proposed, as for Sarah Pocock, the cold hospitality of his own *salon de lecture,* in which the chill of Sarah's visit seemed still to abide and shades of pleasure were dim; he might have suggested a stone bench in the dusty Tuileries or a penny chair at the back part of the Champs Elysées. These things would have been a trifle stern, and sternness alone now wouldn't be sinister. An instinct in him cast about for some form of discipline in which they might meet—some awkwardness they would suffer from, some danger, or at least some grave inconvenience, they would incur. This would give a sense—which the spirit required, rather ached and sighed in the absence of—that somebody was paying something somewhere and somehow, that they were at least not all floating to-

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gether on the silver stream of impunity. Just, instead of that, to go and see her late in the evening, as if, for all the world—well, as if he were as much in the swim as anybody else: this had as little as possible in common with the disciplinary form.

Even when he had felt that objection melt away, however, the practical difference was small; the long stretch of his interval took the color it would, and if he lived on thus with the sinister from hour to hour it proved an easier thing than one might have supposed in advance. He reverted in thought to his old tradition, the one he had been brought up on and which even so many years of life had but little worn away; the notion that the state of the wrongdoer, or at least this person's happiness, presented some special difficulty. What struck him now, rather, was the ease of it—for nothing, in truth, appeared easier. It was an ease he himself fairly tasted of for the rest of the day; giving himself quite up; not so much as trying to dress it out, in any particular whatever, as a difficulty; not, after all, going to see Maria—which would have been, in a manner, a result of such dressing; only idling, lounging, smoking, sitting in the shade, drinking lemonade and consuming ices. The day had turned to heat and eventual thunder, and he now and again went back to his hotel to find that Chad had not been there. He had not yet struck himself, since leaving Woollett, so much as a loafer, though there had been times when he believed himself touching bottom. This was a deeper depth than any, and with no foresight, scarcely with a care, as to what he should bring up. He almost wondered if he didn't *look* demoralized and disreputable; he had the fanciful vision, as he sat and smoked, of some accidental, some motived, return of the Pococks, who would be passing along the Boulevard and would catch this view of him. They would have distinctly, on his appearance, every ground for scandal. But fate failed to administer even *that* sternness; the Pococks never passed and Chad made no sign. Strether meanwhile continued to hold off from Miss Gostrey, keeping her till to-morrow; so that by evening his irresponsibility, his impunity, his luxury, had become—there was no other word for them—immense.

Between nine and ten, at last, in the high, clear picture—he was moving in these days, as in a gallery, from clever canvas to clever canvas—he drew a long breath: it was so presented to him from the first that the spell of his luxury wouldn't be broken. He wouldn't have, that is, to become responsible—this was, admirably, in the air: she had sent for him, precisely, to let him feel it, so that he might go on with his comfort—comfort already established, hadn't it been?—of regarding his ordeal, the ordeal of the weeks of Sarah's stay and of their climax, as safely traversed and left behind him. Didn't she just wish to assure him that *she* now took it all and so kept it; that he was absolutely not to worry any more, was only to rest on his laurels and continue generously to help her? The light in her beautiful, formal room was dim, though it would do, as

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everything would always do; the hot night had kept out lamps, but there was a pair of clusters of candles that glimmered over the chimney-piece like the tall tapers of an altar. The windows were all open, their redundant hangings swaying a little, and he heard once more, from the empty court, the small plash of the fountain. From beyond this, and as from a great distance—beyond the court, beyond the *corps de logis* forming the front—came, as if excited and exciting, the vague voice of Paris. Strether had all along been subject to sudden gusts of fancy in connection with such matters as these—odd starts of the historic sense, suppositions and divinations with no warrant but their intensity. Thus and so, on the eve of the great recorded dates, the days and nights of revolution, the sounds had come in, the omens, the beginnings broken out. They were the smell of revolution, the smell of the public temper—or perhaps simply the smell of blood.

It was at present queer beyond words, "subtle," he would have risked saying, that such suggestions should keep crossing the scene; but it was doubtless the effect of the thunder in the air, which had hung about all day without release. His hostess was dressed as for thunderous times, and it fell in with the kind of imagination we have just attributed to him that she should be in simplest, coolest white, of a character so old-fashioned, if he were not mistaken, that Madame Roland, on the scaffold, must have worn something like it. This effect was enhanced by a small black fichu, or scarf, of crape or gauze, disposed quaintly round her bosom and now completing, as by a mystic touch, the pathetic, the noble analogy. Poor Strether in fact scarce knew what analogy was evoked for him as the charming woman, receiving him and making him, as she could do such things, at once familiarly and gravely welcome, moved over her great room with her image almost repeated in its polished floor, which had been fully bared for summer. The associations of the place, all felt again; the gleam here and there, in the subdued light, of glass and gilt and parquet, with the quietness of her own note as the centre—these things were at first as delicate as if they had been ghostly, and he was sure in a moment that, whatever he should find he had come for, it wouldn't be for an impression that had previously failed him. That conviction came to him at the outset, and, seeming singularly to simplify, certified to him that the objects about would help him, would really help them both. No, he might never see them again—this was only too probably the last time; and he should certainly see nothing in the least degree like them. He should soon be going to where such things were not, and it would be a small mercy for memory, for fancy, to have, in that stress, a loaf on the shelf. He knew in advance he should look back on the perception actually sharpest with him as on the view of something old, old, old, the oldest thing he had ever personally touched; and he also knew, even while he took his companion in as the feature among features, that memory and fancy couldn't help being

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enlisted for her. She might intend what she would, but this was beyond anything she could intend, with things from far back—tyrannies of history, facts of type, values, as the painters said, of expression—all working for her and giving her the supreme chance, the chance of the happy, the really luxurious few, the chance, on a great occasion, to be natural and simple. She had never, with him, been more so; or if it was the perfection of art it would never—and that came to the same thing—be proved against her.

What was truly wonderful was her way of differing so from time to time without detriment to her simplicity. Caprices, he was sure she felt, were before anything else bad manners, and that judgment in her was by itself a thing making more for safety of intercourse than anything that, in his various own past intercourses, he had had to reckon on. If therefore her presence was now quite other than the one she had shown him the night before, there was nothing of violence in the change—it was all harmony and reason. It gave him a mild, deep person, whereas he had had, on the occasion to which their interview was a direct reference, a person committed to movement and surface and abounding in them; but she was, in either character, more remarkable for nothing than for her bridging of intervals, and this now fell in with what he understood he was to leave to her. The only thing was that, if he was to leave it *all* to her, why, exactly, had she sent for him? He had had, vaguely, in advance, his explanation, his view of the probability of her wishing to set something right, to deal in some way with the fraud so lately practised on his presumed credulity. Would she attempt to carry it further, or would she blot it out? Would she throw over it some more or less happy color, or would she do nothing about it at all? He perceived soon enough at least that, however reasonable she might be, she was not vulgarly confused, and it herewith pressed upon him that their eminent "lie," Chad's and hers, was simply, after all, such an inevitable tribute to good taste as he couldn't have wished them not to render. Away from them, during his vigil, he had seemed to wince at the amount of comedy involved; whereas in his present posture he could only ask himself how he should enjoy any attempt from her to take the comedy back. He shouldn't enjoy it at all—but, once more and yet once more, he could trust her. That is he could trust her to make deception right. As she presented things the ugliness—goodness knew why—went out of them; none the less too that she could present them, with an art of her own, by not so much as touching them. She let the matter, at all events, lie where it was—where the previous twenty-four hours had placed it; appearing merely to circle about it respectfully, tenderly, almost piously, while she took up another question.

She knew she hadn't really thrown dust in his eyes; this, the previous night, before they separated, had practically passed between them; and, as she had sent for him to see what the difference thus made for him might amount to, so he was conscious at the end of

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five minutes that he had been tried and tested. She had settled with Chad after he left them that she would, for her satisfaction, assure herself of this quantity, and Chad had, as usual, let her have her way. Chad was always letting people have their way when he felt that it would somehow turn his wheel for him; it somehow always did turn his wheel. Strether felt, oddly enough, before these facts, freshly and consentingly passive; they again so rubbed it into him that the couple thus fixing his attention were intimate, that his intervention had absolutely aided and intensified their intimacy, and that, in fine, he must accept the consequence of that. He had absolutely become, himself, with his perceptions and his mistakes, his concessions and his reserves, the funny mixture, as it must seem to them, of his braveries and his fears, the general spectacle of his art and his innocence, almost an added link and certainly a common, priceless ground for them to meet upon. It was as if he had been hearing their very tone when she brought out a reference that was comparatively straight. "The last twice that you've been here, you know, I never asked you," she said with an abrupt transition—they had been pretending, before this, to talk simply of the charm of the day before and of the interest of the country they had seen. The effort was confessedly vain; not for such talk had she invited him; and her impatient reminder was of their having done for it all the needful of his coming to her after Sarah's flight. What she hadn't asked him then was to state to her where and how he stood for her; she had been resting on Chad's report of their midnight hour together in the Boulevard Malesherbes. The thing, therefore, she at present desired was ushered in by this recall of the two occasions on which, disinterested and merciful, she had not worried him. To-night, truly, she *would* worry him, and this was her appeal to him to let her risk it. He was not to mind if she bored him a little: she had behaved, after all, hadn't she? so awfully, awfully well.

XXXII.

"Oh, you're all right, you're all right," he almost impatiently declared; his impatience being moreover not for her pressure, but for her scruple. More and more distinct to him was the tune to which she would have had the matter out with Chad; more and more vivid for him the idea that she had been nervous as to what he could "stand." Yes, it had been a question if he could stand what the scene on the river had given him, and, though the young man had doubtless opined in favor of his recuperation, her own last word had been that she should feel easier in seeing for herself. That was it, unmistakably; she *was* seeing for herself; what he could stand was, in these moments, in the balance for Strether, who reflected, as he became fully aware of it, that he must pull himself up. He wanted fully to appear to stand all he *could* stand; and there was a certain command of the situation for him in this very wish

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not to look too much at sea. She was ready with everything, but so, sufficiently, was he; that is he was at one point the more prepared of the two, inasmuch as, for all her cleverness, she couldn't produce on the spot—and it was surprising—an account of the motive of her note. He had the advantage that his pronouncing her "all right" gave him for an inquiry. "May I ask, delighted as I've been to come, if you've wished to say something special?" He spoke as if she might have seen he had been waiting for it—not indeed with discomfort, but with natural interest. Then he saw that she was a little taken aback, was even surprised herself at the detail she had neglected—the only one ever yet; having somehow assumed he would know, would recognize, would leave some things not to be said. She looked at him, however, an instant as if to convey that if he wanted them *all*—!

"Selfish and vulgar—that's what I must seem to you. You've done everything for me, and here I am as if I were asking for more. But it isn't," she declared, "because I'm afraid—though I *am* of course afraid, as a woman in my position always is. I mean it isn't because one lives in terror—it isn't because of *that* one is selfish, for I'm ready to give you my word to-night that I don't care; don't care what still may happen and what I may lose. I don't ask you to raise your little finger for me again, nor do I wish so much as to mention to you what we've talked of before, either my danger or my safety, or his mother, or his sister, or the girl he may marry, or the fortune he may make, or miss, or the right or the wrong, of any kind, he may do. If after the help one has had from you one can't either take care of oneself or simply hold one's tongue, one must renounce all claim to be an object of interest. It's in the name of what I *do* care about that I've tried still to keep hold of you. How can I be indifferent," she asked, "to how I appear to you?" And as he found himself unable immediately to say: "Why, if you're going, *need* you, after all? Is it impossible you should keep on—so that one mayn't lose you?"

"Impossible I should stay with you here instead of going home?"

"Not 'with' us, if you object to that, but near enough to us, somewhere, for us to see you—well," she beautifully brought out, "when we feel we *must*. How shall we not sometimes feel it? I've wanted to see you often when I couldn't," she pursued, "all these last weeks. How sha'n't I then miss you now, with the sense of your being gone forever?" Then as if the straightness of this appeal, taking him unprepared, had visibly left him wondering: "Where *is* your 'home'; moreover, now—what has become of it? I've made a change in your life, I know I have; I've upset everything in your mind as well; in your sense of—what shall I call it?—all the decencies and possibilities. It gives me a kind of detestation—" She pulled up short.

Oh, but he wanted to hear. "Detestation of what?"

"Of everything—of life."

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"Ah, that's too much," he laughed—"or too little!"

"Too little, precisely"—she was eager. "What I hate is myself—when I think that one has to take so much, to be happy, out of the lives of others, and that one isn't happy even then. One does it to cheat oneself and to stop one's mouth—but that is only, at the best, for a little. The wretched self is always there, always making one somehow a fresh anxiety. What it comes to is that it's not a happiness, any happiness at all, to take. The only safe thing is to give. It's what plays you least false." Interesting, touching, strikingly sincere as she let these things come from her, she yet puzzled and troubled him—so fine was the quaver of her quietness. He felt what he had felt before with her, that there was always more behind what she showed, and more and more again behind that. "You know so, at least," she added, "where you are!"

"*You* ought to know it indeed then; for isn't what you've been giving exactly what has brought us together this way? You've been making, as I've so fully let you know I've felt," Strether said, "the most precious present I've ever seen made, and if you can't sit down peacefully on that performance, you *are*, no doubt, born to torment yourself. But you ought," he wound up, "to be easy."

"And not trouble you any more, no doubt—not thrust on you even the wonder and the beauty of my achievement; only let you regard our business as done, and well done, and let you depart in a peace that matches my own! No doubt, no doubt, no doubt," she nervously repeated—"all the more that I don't really pretend I believe you couldn't, for yourself, *not* have done what you have. I don't pretend you feel yourself victimized, for this evidently is the way you live, and it's what—we're agreed—is the best way. Yes, as you say," she continued after a moment, "I ought to be easy and rest on my laurels. Well then, here I am, doing so. I *am* easy. You will have it for your last impression. When is it you say you go?" she asked with a quick change.

He took some time to reply—his last impression was, more and more, so mixed a one. It produced in him a vague disappointment, a drop that was deeper even than the fall of his elation the previous night. The good of what he had done, if he had done so much, wasn't there to enliven him quite to the point that would have been ideal for a grand gay finale. Women were thus endlessly absorbent, and to deal with them was to walk on water. What was at bottom the matter with her, embroider as she might and disclaim as she might—what was at bottom the matter with her was simply Chad himself. It was of Chad she was, after all, renewedly afraid; the strange strength of her passion was the very strength of her fear; she clung to *him*, Lambert Strether, as to a source of safety she had tested, and, generous, graceful, truthful as she might try to be, exquisite as she was, she dreaded the term of his being within reach. With this sharpest perception yet, it was like a chill in the air to him, it was almost appalling, that a creature so fine could be, by

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mysterious forces, a creature so exploited. For, at the end of all things, they *were* mysterious: she had but made Chad what he was—so why could she think she had made him infinite? She had made him better, she had made him best, she had made him anything one would; but it came to our friend with supreme queerness that he was none the less only Chad. Strether had the sense that *he*, a little, had made him too; his high appreciation had, as it were, consecrated her work. The work, however admirable, was nevertheless of the strict human order, and in short it was marvellous that the companion of mere earthly joys, of comforts, aberrations—however one classed them—within the common experience, should be so transcendently prized. It might have made Strether hot or shy, as such secrets of others, brought home, sometimes do make us; but he was held there by something so hard that it was fairly grim. This was not the discomposure of last night; that had quite passed—such discomposures were a detail; the real coercion was to see a man ineffably adored. There it was again—it took women, it took women; if to deal with them was to walk on water, what wonder that the water rose? And it had never, surely, risen higher than in this woman. He presently found himself taking a long look from her, and the next thing he knew he had uttered all his thought. "You're afraid for your life!"

It drew out her long look, and he soon enough saw why. A spasm came into her face, the tears she had already been unable to hide overflowed at first in silence, and then, as the sound suddenly comes from a child, quickened to gasps, to sobs. She sat and covered her face with her hands, giving up all attempt at a manner. "It's how you see me, it's how you see me"—she caught her breath with it—"and it's as I *am*, and as I must take myself, and of course it's no matter." Her emotion was at first so incoherent that he could only stand there at a loss, stand with his sense of having upset her, though of having done it by the truth. He had to listen to her in a silence that he made no immediate effort to attenuate, feeling her doubly woful amid all her dim, diffused elegance; consenting to it as he had consented to the rest, and even conscious of some vague inward irony in the presence of such a fine, free range of bliss and bale. He couldn't say it was *not* no matter; for he was serving her to the end, he now knew, anyway—quite as if what he thought of her had nothing to do with it. It was actually, moreover, as if he didn't think of her at all, as if he could think of nothing but the passion, mature, abysmal, pitiful, she represented, and the possibilities she betrayed. She was older for him to-night, visibly less exempt from the touch of time; but she was as much as ever the finest and subtlest creature, the happiest apparition, it had been given him, in all his years, to meet; and yet he could see her there as vulgarly troubled, in very truth, as a maidservant crying for her young man. The only thing was that she judged herself as the maidservant wouldn't; the weakness of which wisdom too, the dis-

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honor of which judgment, seemed but to sink her lower. Her collapse, however, no doubt, was briefer and she had in a manner recovered herself before he intervened. "Of course, I'm afraid for my life. But that's nothing. It isn't that."

He was silent a little longer, as if thinking what it might be. "There's something I have in mind that I can still do."

But she threw off at last, with a sharp, sad headshake, drying her eyes, what he could still do. "I don't care for that. Of course, as I've said, you're acting, in your wonderful way, for yourself; and what's for yourself is no more my business—though I may reach out unholy hands so clumsily to touch it—than if it were something in Timbuctoo. It's only that you don't snub me, as you've had fifty chances to do—it's only your beautiful patience that makes one forget one's manners. In spite of your patience, all the same," she went on, "you'd do anything rather than be with us here, even if that were possible. You'd do everything for us but be mixed up with us—which is a statement you can easily answer to the advantage of your own manners. You can say 'What's the use of talking of things that at the best are impossible?' What *is,* of course, the use? It's only my little madness. You'd talk if you were tormented. And I don't mean now about *him.* Oh, for him—!" Positively, strangely, bitterly, as it seemed to Strether, she gave "him," for the moment, away. "You don't care what I think of you; but I happen to care what you think of me. And what you *might,*" she added. "What you perhaps even did."

He gained time. "What I did—"

"Did think before. Before this. *Didn't* you think—?"

But he had already stopped her. "I didn't think anything. I never think a step further than I'm obliged to."

"That's perfectly false, I believe," she returned—"except that you may, no doubt, often pull up when things become *too* ugly; or even, I'll say, to save you a protest, too beautiful. At any rate, even so far as it's true, we've thrust on you appearances that you've had to see and that have therefore made your obligation. Ugly or beautiful—it doesn't matter what we call them—you were getting on without them, and that's where we're detestable. We bore you—that's where we are. And we may well—for what we've cost you. All you can do *now* is not to think at all. And I who should have liked to seem to you—well, sublime!"

He could only, after a moment, re-echo Miss Barrace. "You're wonderful!"

"I'm old and abject and hideous"—she went on as without hearing him. "Abject above all. Or old above all. It's when one's old that it's worst. I don't care what becomes of it—let what *will;* there it is. It's a doom—I know it; you can't see it more than I do myself. Things have to happen as they will." With which she came back again to what, face to face with him, had so quite broken down. "Of course you wouldn't, even if possible, and no matter

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what may happen to you, be near us. But think of me, think of me—!" She exhaled it into air.

He took refuge in repeating something he had already said and that she had made nothing of. "There's something I believe I can still do. And he put out his hand for good-by.

She again made nothing of it; she went on with her insistence. "That won't help you. There's nothing to help you."

"Well, it may help *you*," he said.

She shook her head. "There's not a grain of certainty in my future; for the only certainty is that I shall be the loser in the end."

She hadn't taken his hand, but she moved with him to the door. "That's cheerful," he laughed, "for your benefactor!"

"What's cheerful for *me*," she replied, "is that we might, you and I, have been friends. That's it—that's it. You see how, as I say, I want everything. I've wanted you too."

"Ah, but you've *had* me!" he declared, at the door, with an emphasis that made an end.

XXXIII.

His purpose had been to see Chad the next day, and he had prefigured seeing him by an early call; having, in general, never stood on ceremony in respect to visits in the Boulevard Malesherbes. It had been more often natural for him to go there than for Chad to come to the small hotel, the attractions of which were scant; yet it nevertheless, at present, at the eleventh hour, did suggest itself to Strether to begin by giving the young man a chance. It struck him that, in the inevitable course, Chad would be "round," as Waymarsh used to say—Waymarsh who already, somehow, seemed long ago. He hadn't come the day before, because it had been arranged between them that Mme. de Vionnet should see their friend first; but now that this passage had taken place he would present himself, and their friend wouldn't have long to wait. Strether assumed, he became aware, on this reasoning, that the interesting parties to the arrangement would have met betimes, and that the more interesting of the two—as she was after all—would have communicated to the other the issue of her appeal. Chad would know without delay that his mother's messenger had been with her, and, though it was perhaps not quite easy to see how she could qualify what had occurred, he would at least have been sufficiently advised to feel he could go on. The day, however, brought, early or late, no word from him, and Strether felt, as a result of this, that a change had practically come over their intercourse. It was perhaps a premature judgment; or it only meant perhaps—how could he tell?—that the wonderful pair he protected had taken up again together the excursion he had accidentally checked. They might have gone back to the country, and gone back but with a long breath drawn; that indeed would best mark Chad's sense that violence had not awaited the presentation of Mme. de Vionnet's plea. At the

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end of the twenty-four hours, at the end of the forty-eight, there was still no demonstration; so that Strether filled up the time, as he had so often filled it before, by going to see Miss Gostrey.

He proposed amusements to her; he felt expert now in proposing amusements; and he had thus, for several days, an odd sense of leading her about Paris, of driving her in the Bois, of showing her the penny steamboats—those from which the breeze of the Seine was to be best enjoyed—that might have belonged to a kindly uncle doing the honors of the capital to an intelligent niece from the country. He found means even to take her to shops she didn't know, or that she pretended she didn't; while she, on her side, was, like the country maiden, all passive, modest and grateful—going in fact so far as to emulate rusticity in occasional fatigues and bewilderments. Strether described these vague proceedings to himself, described them even to her, as a happy interlude; the sign of which was that the companions said for the time no further word about the matter they had talked of to satiety. He proclaimed satiety at the outset, and she quickly took the hint, as docile both in this and in everything else as the intelligent, obedient niece. He told her as yet nothing of his late adventure—for as an adventure it now ranked with him; he pushed the whole business temporarily aside and found his interest in the fact of her beautiful assent. She left questions unasked—she who for so long had been all questions; she gave herself up to him with an understanding of which mere mute gentleness might have seemed the sufficient expression. She knew his sense of his situation had taken still another step—of that he was quite aware; but she conveyed that, whatever had thus happened for him, it was thrown into the shade by what was happening for herself. This—though it mightn't to a detached spirit have seemed much—was the major interest, and she met it with a new directness of response, measuring it from hour to hour with her grave hush of acceptance. Touched as he had so often been by her before, he was, for his part too, touched afresh; all the more that, though he could be duly aware of the principle of his own mood, he couldn't be equally so of the principle of hers. He knew, that is, in a manner—knew roughly and resignedly—what he himself was hatching; whereas he had to take the chance of what he called to himself Maria's calculations. It was all he needed that she liked him enough for what they were doing, and even should they do a good deal more would still like him enough for that; the essential freshness of a relation so simple was a cool bath to the soreness produced by other relations. These others appeared to him now horribly complex; they bristled with fine points, points all unimaginable beforehand, points that pricked and drew blood; a fact that gave to an hour with his present friend on a *bateau-mouche*, or in the afternoon shade of the Champs Elysées, something of the innocent pleasure of handling rounded ivory. His relation with Chad personally—from the moment he had got his point of view—had been of the simplest; yet

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this also struck him as bristling after a third and a fourth blank day had passed. It was as if, at last, however, his care for such indications had dropped; there came a fifth blank day, and he ceased to inquire or to heed.

They now took on to his fancy, Miss Gostrey and he, the image of the Babes in the Wood; they could trust the merciful elements to let them continue at peace. He had been great already, as he knew, at postponements; but he had only to get afresh into the rhythm of one to feel its fine attraction. It amused him to say to himself that he might, for all the world, have been going to die—die resignedly; the scene was filled for him with so deep a death-bed hush, so melancholy a charm. That meant the postponement of everything else—which made so for the quiet lapse of life; and the postponement in especial of the reckoning to come—unless indeed the reckoning to come were to be one and the same thing with extinction. It faced him, the reckoning, over the shoulder of much interposing experience—which also faced him; and one would float to it, doubtless, duly, through these caverns of Kublai Khan. It was really behind everything; it hadn't merged in what he had done; his final appreciation of what he had done—his appreciation on the spot—would provide it with its main sharpness. The spot, so focussed, was of course Woollett, and he was to see, at the best, what Woollett would be with everything there changed for him. Wouldn't *that* revelation practically amount to the wind-up of his career? Well, the summer's end would show; his suspense had meanwhile exactly the sweetness of vain delay; and he had with it, we should mention, other pastimes than Maria's company—plenty of separate musings in which his luxury failed him but at one point. He was well in port, the outer sea behind him, and it was only a matter of going ashore; there was a question that came and went for him, however, as he rested against the side of his ship, and it was a little to get rid of the obsession that he prolonged his hours with Miss Gostrey. It was a question about himself, but it could only be settled by seeing Chad again; it was indeed his principal reason for wanting to see Chad. After that it wouldn't signify—it was a ghost that certain words would easily lay to rest. Only the young man must be there to take the words. Once they were taken, he wouldn't have a question left; none, that is, in connection with this particular affair. It wouldn't then matter even to himself that he might now have been guilty of speaking *because* of what he had forfeited. That was the refinement of his supreme scruple—he wished so to leave what he had forfeited out of account. He wished not to do anything because he had missed something else, because he was sore or sorry or impoverished, because he was maltreated or desperate; he wished to do everything because he was lucid and quiet, just the same for himself on all essential points as he had ever been. Thus it was that, while he virtually hung about for Chad, he kept mutely putting it, "You've been chucked, old boy;

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but what has that to do with it?" It would have sickened him to feel vindictive.

These shades indeed were doubtless but the iridescence of his idleness, and they were presently lost in a new light from Maria. She had a fresh fact for him before the week was out, and she practically met him with it on his appearing one night. He had not on this day seen her, but had planned presenting himself in due course to ask her to dine with him somewhere out-of-doors. It had then come on to rain, so that, disconcerted, he changed his mind; dining alone at home, a little stuffily and stupidly, and waiting on her afterwards to make up his loss. He was sure within a minute that something had happened; it was so in the air of the rich little room that he had scarcely to name his thought. Softly lighted, the whole color of the place, with its vague values, was in cool fusion—an effect that made the visitor stand for a little agaze. It was as if in doing so now he had felt a recent presence—his recognition of the passage of which his hostess in turn divined. She had scarcely to say it—"Yes, she has been here, and this time I received her." It was not till a minute later that she added: "There being, as I understand you, no reason *now*—!"

"None for your refusing?"

"No—if you've done what you've had to do."

"I've certainly so far done it," Strether said, "as that you needn't fear the effect, or the appearance, of coming between us. There's nothing between us now but what we ourselves have put there, and not an inch of room for anything else whatever. Therefore you're only beautifully *with* us as always—though doubtless now, if she has talked to you, rather more with us than less. Of course if she came," he added, "it was to talk to you."

"It was to talk to me," Maria returned; on which he was further sure that she was practically in possession of what he himself had not yet told her. He was even sure she was in possession of things he himself couldn't have told; for the consciousness of them was now all in her face and accompanied there with a shade of sadness that marked in her the close of all uncertainties. It came out for him more than ever yet that she had had from the first a knowledge she believed him not to have had, a knowledge the sharp acquisition of which might be destined to make a difference for him. The difference for him might not inconceivably be an arrest of his independence and a chance in his attitude—in other words, a revulsion in favor of the principles of Woollett. She had really prefigured the possibility of a shock that would send him swinging back to Mrs. Newsome. He had not, it was true, week after week, shown signs of receiving it, but the possibility had been none the less in the air. What Maria, accordingly, had had now to take in was that the shock had descended, and that he hadn't, all the same, swung back. He had grown clear, in a flash, on a point long since settled for herself; but no reapproximation to Mrs. Newsome had occurred in conse-

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quence. Mme. de Vionnet had by her visit held up the torch to these truths, and what now lingered in poor Maria's face was the somewhat smoky light of the scene between them. If the light, however, was not, as we have hinted, the glow of joy, the reasons for this also were perhaps discernible to Strether even through the blur cast over them by his natural modesty. She had held herself for months with a firm hand; she had not interfered on any chance —and chances were specious enough—that she might interfere to her profit. She had turned her back on the dream that Mrs. Newsome's rupture, their friend's forfeiture—the engagement, the relation itself, broken beyond all mending—might furnish forth her advantage; and, to stay her hand from promoting these things, she had, on private, passionate lines, played strictly fair. She couldn't therefore but feel that, though, as the end of all, the facts in question had been stoutly confirmed, her ground for personal, for what might have been called interested, elation remained rather vague. Strether might easily have made out that she had been asking herself, in the hours she had just sat through, if there were still for her, or were only not, a fair shade of uncertainty. Let us hasten to add, however, that what he at first made out on this occasion he also at first kept to himself. He only asked what in particular Mme. de Vionnet had come for; and as to this his companion was ready.

"She wants tidings of Mr. Newsome, whom she appears not to have seen for some days."

"Then she has not been away with him again?"

"She seemed to think," Maria answered, "that he might have gone away with *you*."

"And did you tell her I know nothing of him?"

She had her indulgent headshake. "I've known nothing of what you know. I could only tell her I would ask you."

"Then I've not seen him for a week—and of course I've wondered." His wonderment showed at this moment as confirmed, but he presently went on. "Still, I dare say I can put my hand on him. Did she strike you," he asked, "as anxious?"

"She's always anxious."

"After all I've done for her?" And he had one of the last flickers of his occasional mild mirth. "To think that that was just what I came out to prevent!"

She took it up but to reply. "You don't regard him then as safe?"

"I was just going to ask you how, in that respect, you regard Mme. de Vionnet."

She looked at him a little. "What woman was *ever* safe? She told me," she added—and it was as if at the touch of the connection—"of your extraordinary meeting in the country. After that *à quoi se fier?*"

"It was, as an accident, in all the possible or impossible chapter," Strether conceded, "amazing enough. But still, but still—"

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"But still she didn't mind?"

"She doesn't mind anything."

"Well then, as you don't either, we may all sink to rest!"

He appeared to agree with her, but he had his reservation. "I do mind Chad's disappearance."

"Oh, you'll get him back. But now you know," she said, "why I went to Mentone." He had sufficiently let her see that he had by this time gathered things together, but there was nature in her wish to make them clearer still. "I didn't want you to put it to me."

"To put it to you—?"

"The question of what you were at last—a week ago—to see for yourself. I didn't want to have to lie for her. I felt that to be too much for me. A man of course is always expected to do it—to do it, I mean, for a woman; but not a woman for another woman; unless perhaps on the tit-for-tat principle, as an indirect way of protecting herself. I don't need protection, so that I was free to 'funk' you—simply to dodge your test. The responsibility was too much for me. I gained time, and when I came back the need of a test had blown over."

Strether serenely recovered it. "Yes; when you came back little Bilham had shown me what's expected of a man. Little Bilham had lied like one."

"And like what had you believed him?"

"Well," said Strether, "it was but a technical lie—he classed the attachment as virtuous. That was a view for which there was much to be said—and the virtue came out for me hugely. There was of course a great deal. I got it full in the face, and I haven't, you see, done with it yet."

"What I see, what I saw," Maria returned, "is that you dressed up even the virtue. You were wonderful—you were beautiful, as I've had the honor of telling you before; but, if you wish really to know," she sadly confessed, "I never quite knew *where* you were. There were moments," she explained, "when you struck me as superbly cynical; there were others when you struck me as sublimely vague."

Her friend considered. "I had phases. I had flights."

"Yes, but things must have a basis."

"A basis seemed to me just what her beauty supplied."

"Her beauty—?"

"Well, I can't call it anything else. The impression she makes. She has such variety, and yet such harmony."

She considered him with one of her deep returns of indulgence—returns out of all proportion to the irritations they flooded over. "You're magnificent."

"You're always too personal," he good-humoredly said; "but that then is where I was."

"If you mean," she went on, "that she was, from the first, for

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you, the most charming woman in the world, nothing is more simple. Only that was an odd foundation."

"For what I reared on it?"

"For what you didn't!"

"Well, it was all not a fixed quantity. And it had for me—it has still—such elements of strangeness. Her greater age than his, her different world, traditions, associations; her other opportunities, liabilities, standards."

His friend listened with respect to his enumeration of these disparities; then she disposed of them at a stroke. "Those things are nothing when a woman is taken. And she was taken."

Strether, on his side, did justice to that plea. "Oh, of course I saw she was taken. That she was taken was what we were busy with; that she was taken was our great affair. But somehow I couldn't think of her as down in the dust. And as put there by Chad!"

"Yet wasn't Chad just your miracle?"

Strether admitted it. "Of course I moved among miracles. It was all phantasmagoric. But the great fact was that so much of it was none of my business—as I saw my business. It isn't even now."

His companion turned away on this, and it might well have been yet again with the sharpness of a fear of how little his philosophy could bring her personally. "I wish *she* could hear you!"

"Mrs. Newsome?"

"No—not Mrs. Newsome; since I understand you that it doesn't matter now what Mrs. Newsome hears. Hasn't she heard everything?"

"Practically—yes." He had thought a moment, but he went on. "You wish Mme. de Vionnet could hear me?"

"Mme. de Vionnet." She had come back to him. "She thinks just the contrary of what you say. That you judge her."

He turned over the scene as the two women thus placed together for him seemed to give it. "She might have known—!"

"Might have known you don't?" Miss Gostrey asked as he let it drop. "She was sure of it at first," she pursued as he said nothing; "she took it for granted, at least, as any woman in her position would. But after that she changed her mind; she believed you believed—"

"Well?"—he was curious.

"Why, in her sublimity. And that belief had remained with her, I make out, till the accident of the other day opened your eyes. For that it did," said Maria, "open them—"

"She can't help"—he had taken it up—"being aware? No," he mused, "I suppose she thinks of that even yet."

"Then they *were* closed? There you are! However, if you still see her as the most charming woman in the world, it comes to the same thing. And if you'd like me to tell her that you do still so see

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her—!" Miss Gostrey, in short, offered herself for service to the end.

It was an offer he could weigh; but he decided. "She knows perfectly how I see her."

"Not favorably enough, she mentioned to me, to wish ever to see her again. She told me you had taken a final leave of her. She says you've done with her."

"So I have."

Maria had a pause; then she spoke as if for conscience. "She wouldn't have done with *you*. She feels she has lost you—yet that she might have been better for you."

"Oh, she has been quite good enough!" Strether laughed.

"She thinks you and she might at any rate have been friends."

"We might certainly. That's just"—he continued to laugh—"why I'm going."

It was as if Maria could feel with this then, at last, that she had done her best for each. But she had still an idea. "Shall I tell her that?"

"No. Tell her nothing."

"Very well, then." To which, in the next breath, Miss Gostrey added: "Poor dear thing!"

Her friend wondered; then with raised eyebrows: "Me?"

"Oh, no. Marie."

He accepted the correction, but he wondered still. "Are you so sorry for her as that?"

It made her think a moment—made her even speak with a smile. But she didn't really retract. "I'm sorry for us all!"

XXXIV.

He had, however, within two days, another report to make. He had sent her a word early, by hand, to ask if he might come to breakfast; in consequence of which, at noon, she awaited him in the cool shade of her little Dutch-looking dining-room. This retreat was at the back of the house, with a view of a scrap of old garden that had been saved from modern ravage; and though he had on more than one other occasion had his legs under its small and peculiarly polished table of hospitality, the place had never before struck him as so sacred to pleasant knowledge, to intimate charm, to antique order, to a neatness that was almost august. To sit there was, as he had told her before, to see life reflected for the time in ideally kept pewter; which was somehow becoming, improving to life, so that one's eyes were held and comforted. Strether's were comforted, at all events, now—and the more that it was the last time—with the charming effect, on the board bare of a cloth and proud of its perfect surface, of the small old crockery and old silver, matched by the more substantial pieces happily disposed about the room. The specimens of vivid Delf, in particular, had the dignity

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of family portraits; and it was in the midst of them that our friend resignedly expressed himself. He spoke even with a certain philosophic humor. "There's nothing more to wait for; I seem to have done a good day's work. I've let them have it all round. I've seen Chad, who has been to London and come back. He tells me I'm 'exciting,' and I seem indeed pretty well to have upset every one. I've at any rate excited *him*. He's distinctly restless."

"You've excited *me*," Miss Gostrey smiled. "*I'm* distinctly restless."

"Oh, you were that when I found you. It seems to me I've rather got you out of it. What's this," he asked as he looked about him, "but perfect peace?"

"I wish with all my heart," she presently replied, "I could make you find it so"; and they faced each other on it, across the table, as if things unuttered were in the air.

Strether seemed, in his way, when he next spoke, to take some of them up. "It wouldn't give me—that would be the trouble—what it will, no doubt, still give you. I'm not," he explained, leaning back in his chair, but with his eyes on a small ripe round melon—"in real harmony with what surrounds me. You *are*. I take it too hard. You *don't*. It makes—that's what it comes to in the end—a fool of me." Then at a tangent, "What has he been doing in London?" he demanded.

"Ah, one may go to London," Maria laughed. "You know *I* did."

"Yes"—he took the reminder. "And you brought *me* back." He brooded there opposite to her, but without gloom. "Whom has Chad brought? He's full of ideas. And I wrote to Sarah," he added, "the first thing this morning. So I'm square. I'm ready for them."

She neglected certain parts of this speech in the interest of others. "She said to me the other day that she felt him to have the makings of an immense man of business."

"There it is. He's the son of his father!"

"But *such* a father!"

"Ah, just the right one, from that point of view! But it isn't his father in him," Strether added, "that troubles me."

"What is it then?" He came back to his breakfast; he partook presently of the charming melon, which she liberally cut for him; and it was only after this that he met her question. Then, moreover, it was but to remark that he would answer her presently. She waited, she watched, she served him and amused him, and it was perhaps with this last idea that she soon reminded him of his having never even yet named to her the article produced at Woollett. "Do you remember our talking of it in London—that night at the play?" Before he could say yes, however, she had put it to him for other matters. Did he remember, did he remember—this and that of their first days? He remembered everything, bringing up with humor even things of which she professed no recollection,

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things she vehemently denied; and falling back above all on the great interest of their early time, the curiosity felt by both of them as to where he would "come out." They had so assumed it was to be in some wonderful place—they had thought of it as so very *much* out. Well, that was doubtless what it had been—since he had come out just there. He was out, in truth, as far as it was possible to be, and must now rather bethink himself of getting in again. He found on the spot the image of his recent history; he was like one of the figures of the old clock at Berne. *They* came out, on one side, at their hour, jigged along their little course in the public eye, and went in on the other side. He too had jigged his little course—him too a modest retreat awaited. He offered now, should she really like to know, to name the great product of Woollett. It would be a great commentary on everything. At this she stopped him off; she not only had no wish to know, but she wouldn't know for the world. She had done with the products of Woollett—for all the good she had got from them. She desired no further news of them, and she mentioned that Mme. de Vionnet herself had, to her knowledge, lived exempt from the information he was ready to supply. She had never consented to receive it, though she would have taken it, under stress, from Mrs. Pocock. But it was a matter about which Mrs. Pocock appeared to have had little to say—never sounding the word—and it didn't signify now. There was nothing, clearly, for Maria Gostrey that signified now—save one sharp point, that is, to which she came in time. "I don't know whether it's before you as a possibility that, left to himself, Mr. Chad may, after all, go back. I judge that it *is* more or less so before you, from what you just now said of him."

Her guest had his eyes on her, kindly but attentively, as if foreseeing what was to follow this. "I don't think it will be for the money." And then as she seemed uncertain: "I mean that he'll give her up."

"Then he *will* give her up?"

Strether waited a moment, rather slow and deliberate now, drawing out a little this last soft stage, pleading with her in various suggestive and unspoken ways for patience and understanding. "What were you just about to ask me?"

"Is there anything he can do that would make you patch it up?"

"With Mrs. Newsome?"

Her assent, as if she had had a delicacy about sounding the name, was only in her face; but she added with it: "Or is there anything he can do that would make *her* try it?"

"To patch it up with me?" His answer came at last in a conclusive headshake. "There's nothing any one can do. It's over. Over for both of us."

Maria wondered, seemed a little to doubt. "Are you so sure for her?"

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"Oh yes—sure now. Too much has happened. I'm different for her."

"I see. So that as she's different for *you*—"

"Ah, but," he interrupted, "she's not." And as Miss Gostrey wondered again: "She's the same. She's more than ever the same. But I do what I didn't before—I *see* her."

He spoke gravely and as if responsibly—since he had to pronounce; and the effect of it was slightly solemn, so that she simply exclaimed "Oh!" Satisfied and grateful, however, she showed in her own next words an acceptance of his statement. "What then do you go home to?"

He had pushed his plate a little away, occupied with another side of the matter; taking refuge, in fact, in that side and feeling so moved that he soon found himself on his feet. He was affected in advance by what he believed might come from her, and he would have liked to forestall it and deal with it tenderly; yet in the presence of it he wished still more to be—though as smoothly as possible—deterrent and conclusive. He put her question by for the moment; he told her more about Chad. "It would have been impossible to meet me more than he did last night on the question of the infamy of not sticking to her."

"Is that what you called it for him—'infamy'?"

"Oh, rather! I described to him in detail the base creature he'd be, and he quite agrees with me about it."

"So that it's really as if you had nailed him?"

"Quite really as if—! I told him I should curse him."

"Oh," she smiled, "you *have* done it." And then having thought again: "You *can't* after that propose—!" Yet she scanned his face.

"Propose again to Mrs. Newsome?"

She hesitated afresh, but she brought it out. "I've never believed, you know, that you did propose. I always believed it was really she—and, so far as that goes, I can understand it. What I mean is," she explained, "that with such a spirit—the spirit of curses!—your breach is past mending. She has only to know what you've done to him never again to raise a finger."

"I've done," said Strether, "what I could—one can't do more. He protests his devotion and his horror. But I'm not sure I've saved him. He protests too much. He asks how one can dream of his being tired. But he has all life before him."

Maria saw what he meant. "He's formed to please."

"And it's our friend who has formed him." Strether felt in it the strange irony.

"So it's scarcely his fault!"

"It's at any rate his danger. I mean," said Strether, "it's hers. But she knows it."

"Yes, she knows it. And is your idea," Miss Gostrey asked, "that there was some other woman in London?"

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"Yes. No. That is I *have* no ideas. I'm afraid of them. I've done with them." And he put out his hand to her. "Good-by."

It brought her back to her unanswered question. "To what do you go home?"

"I don't know. There will always be something."

"To a great difference," she said as she kept his hand.

"No doubt. But I shall see what I can make of it."

"Shall you make anything so good—?" As if remembering what Mrs. Newsome had done, it was as far as she went.

But he had sufficiently understood. "So good as this place at this moment? So good as what *you* make of everything you touch?" He took a minute to say, for, really and truly, what stood about him there in her offer—which was as the offer of exquisite service, of lightened care, for the rest of his days—might well have tempted. It built him softly round, it roofed him warmly over, it rested, all so firm, on selection. And what ruled selection was beauty and knowledge. It was awkward, it was almost stupid, not to seem to prize such things; yet, none the less, so far as they made his opportunity, they made it only for a moment. She would moreover understand—she always understood.

That indeed might be, but meanwhile she was going on. "There's nothing, you know, I wouldn't do for you."

"Oh yes—I know."

"There's nothing," she repeated, "in all the world."

"I know. I know. But all the same I must go." He had got it at last. "To be right."

"To be right?"

She had echoed it in vague deprecation, but he felt it already clear for her. "That, you see, is my only logic. Not, out of the whole affair, to have got anything for myself."

She thought. "But, with your wonderful impressions, you'll have got a great deal."

"A great deal"—he agreed. "But nothing like *you*. It's you who would make me wrong!"

Honest and fine, she couldn't pretend she didn't see it. Still, she could pretend a little. "But why should you be so dreadfully right?"

"That's the way that—if I must go—you yourself would be the first to want me. And I can't do anything else."

So then she had to take it, though still with her defeated protest. "It isn't so much your *being* 'right'—it's your horrible sharp eye for what makes you so."

"Oh, but you're just as bad yourself. You can't resist me when I point that out."

She sighed it at last all comically, all tragically, away. "I can't indeed resist you."

"Then, there we are!" said Strether.

THE END.

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